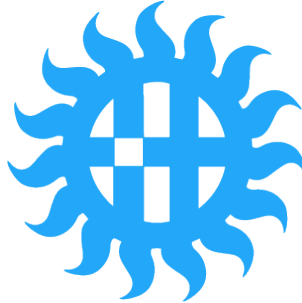


Planning & Zoning AGENDA

Tuesday, June 23, 2026 at 6:00 PM



CITY OF LAS CRUCES

Commissioners
Scott Kaiser
Joaquin Acosta
Janet Acosta
Enrico Smith
Crystal McCaslin
Connor Murray
Kent Thurston

CITY HALL
P.O. BOX 20000
LAS CRUCES, NM 88004

700 N. Main St.
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Council Chambers

Meetings can be viewed live at
lascruces.civicweb.net

CONSENT AGENDA

Minutes and Items on the Consent Agenda Are Considered Routine Items and Will Be Voted on with One Motion Unless a Commissioner Requests That a Specific Item Be Removed. There Will Be No Discussion.

In an effort to seek public input, we ask that if you have comments/concerns/questions to please call or e-mail the Planners in advance of the meeting at 575-528-3043 or Development_Services@lascruces.gov.

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1. **CALL TO ORDER**
2. **CONFLICT OF INTEREST**
3. **PUBLIC PARTICIPATION**
4. **ACCEPTANCE OF AGENDA**
5. **PLANNING & ZONING MINUTES**
 - 5.1. [05-26-26 PNZ Draft Minutes](#)
6. **CONSENT AGENDA**

3 - 33

- 6.1. A REQUEST FOR APPROVAL TO ALLOW THE LAND USE OF AUTO SALES AND/OR RENTALS, FOR A PROPERTY ZONED C-2 (GENERAL COMMERCIAL DISTRICT), AND LOCATED WITHIN THE SOUTH MESQUITE OVERLAY DISTRICT. THE SUBJECT

PROPERTIES ENCOMPASS APPROXIMATELY 0.50 ACRES IN SIZE AND ARE LOCATED AT 801 E. AMADOR AVENUE AND 343 S. ESPERANZA STREET. SUBMITTED BY GABRIEL GAMBOA, PROPERTY OWNER. (26ZO1000018)

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- 6.2. A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT (SUP) TO ALLOW A CANNABIS DISPENSARY (RETAILER) WITHIN THE NH-3.U.MX (NEIGHBORHOOD-3 URBAN MIXED-USE CORRIDOR OVERLAY ZONE) ZONING DISTRICT AND LESS THAN THE REQUIRED 300-FOOT DISTANCE FROM ANOTHER CANNABIS RETAILER. THE SUBJECT PROPERTY IS LOCATED AT 1211 E. IDAHO AVENUE AND ENCOMPASSES APPROXIMATELY 0.11 ACRES IN SIZE. SUBMITTED BY PHAT GRASS LLC., ON BEHALF OF FRANCES FERNANDEZ, PROPERTY OWNER. COUNCIL DISTRICT 3. (CASE # 25ZO1000098) 61 - 68

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7. NEW BUSINESS

- 7.1. A REQUEST FOR APPROVAL OF A ZONING MAP AMENDMENT FROM NH-1.S (NEIGHBORHOOD-1 SUBURBAN) TO CR.S (COMMERCIAL/RETAIL SUBURBAN) FOR A PROPERTY ENCOMPASSING APPROXIMATELY 0.987 ACRES IN SIZE AND LOCATED AT 1240 S. VALLEY DRIVE. SUBMITTED BY JAKE REDFERAN, REPRESENTATIVE, ON BEHALF OF CHINOOK PACIFIC CORP., PROPERTY OWNER. (26ZO0500037) 69 - 77

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8. DISCUSSION

9. STAFF ANNOUNCEMENTS

10. ADJOURNMENT



CITY OF LAS CRUCES

**PLANNING AND ZONING COMMISSION
FOR THE
CITY OF LAS CRUCES
City Council Chambers
May 26, 2026 at 6:00 p.m.**

BOARD MEMBERS PRESENT:

Crystal McCaslin, Chair
Janet Acosta, Vice-Chair
Scott Kaiser, Member
Enrico Smith, Member
Kent Thurston, Member

BOARD MEMBERS ABSENT:

Joaquin Acosta, Member

STAFF PRESENT:

Chris Faivre, Director Community Development
Sara Gonzales, Deputy Director Community Development
Katherine Harrison-Rogers, Parks and Recreation
Kyle Arend, Public Works Interim Director

1. CALL TO ORDER (6:00)

McCaslin: Good evening, I'd like to call to order the Planning and Zoning Commission meeting.

2. CONFLICT OF INTEREST

McCaslin: Does any member of the commission or any member of the city staff have any known conflict or interest with any item on the agenda?

Thurston: I do. Case number, the first one was 7.1, which is the case 25, I don't know if, that one.

McCaslin: Perfect. Thank you so much. Is there a quorum? Fantastic. I am Commissioner Crystal McCaslin, the chair.

3. PUBLIC PARTICIPATION

McCaslin: Is there any member of the public? Oh, that's the next on my agenda. Yes. That would like to discuss anything that is not on the agenda this evening. Perfect, can you approach the podium, please?

Agenda Item #5.1.

1
2 Shervanick: Thank you for accommodating me. Thank you, Madam Chair. Gregory
3 Shervanick for the public. And I would like to bring to your attention some
4 resources that you may not know about, which is the GIS mapping
5 department of the city. I use it regularly, and in December, a case came
6 before some of you in this body. And I think had you had the details of that
7 looking at the parcel map, which then gives you an identification number to
8 an address, because the city owns property, it has no address, and that can
9 be verified by the Doña Ana County Assessor's Office, which that parcel
10 number will give you a residential number, which will then give you access
11 to EAGLE and the history of the property. And I bring this up because I've
12 heard this body ask for more information, and I understand why the city
13 doesn't wish to give you as much as you would desire. However, the
14 information is out there, the city offers it, it even has instruments as a slide
15 rule. And the reason I mention that is because, Madam Chair, I would like
16 to at least acknowledge publicly right now that I would like to have the public
17 speak after 7.2 makes its presentation.

18
19 McCaslin: Thank you.

20
21 Shervanick: Thank you very much.

22
23 Birch: Hi. Thank you for giving me this opportunity to speak to you. My issue is
24 in regard to 7.2.

25
26 McCaslin: Can you please state your name?

27
28 Birch: Oh, I'm sorry. Daniel Birch.

29
30 McCaslin: Mr. Birch, I'm sorry, you can't speak on any items on the agenda. This is
31 only non-agenda items right now.

32
33 Birch: Yes, I'm not going to, this is not part of the agenda, but it's somewhat related
34 to what is on the agenda, that's what I was prefacing.

35
36 McCaslin: Okay.

37
38 Birch: So my concern is every morning between 7.30 and 9 o'clock on Sonoma
39 Boulevard, there is just immense traffic. And as we are putting in more and
40 more houses in the Metro Verde area, that's becoming just kind of a big log,
41 a big traffic jam. And so I don't know exactly how, what the process is of
42 introducing something like that to this body, but I was, and it may have been
43 something that has been discussed in previous council meetings, but I really
44 wanted to bring that up as an issue that a lot of people in my neighborhood
45 have. Because you sit there in traffic and it's just, there's a stop sign, there's
46 a light down on Bataan, and that's the only way in, the only way out of my

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neighborhood. And they continue, we're continuing to put in houses all the way up to the golf course, to Black Hawk, or Red Hawk. And so I was just wanting to bring that up as an item.

McCaslin: Thank you.

Birth: Thank you.

McCaslin: Anyone else?

4. ACCEPTANCE OF THE AGENDA

McCaslin: All right. Can I get an acceptance for the agenda?

Ja. Acosta: Madam Chair. I make a motion. I make a motion to accept the agenda as presented.

McCaslin: Thank you, Commissioner Acosta. Is there a second?

Thurston: I'll get second.

McCaslin: Thank you.

Faivre: All right, this is on the motion to accept the agenda. Commissioner Smith.

Smith: Yes.

Faivre: Commissioner Kaiser.

Kaiser: Yes.

Faivre: Commissioner Thurston.

Thurston: Yes.

Faivre: Vice-Chair.

Ja. Acosta: Yes.

Faivre: And Chair.

McCaslin: Yes.

Faivre: Thank you.

5. PLANNING AND ZONING MINUTES – April 28, 2026

Agenda Item #5.1.

1
2 APPROVED UNANIMOUSLY.

3 4 **6. CONSENT AGENDA**

5
6 McCaslin: All right. There's no consent agenda today.

7 8 **7. NEW BUSINESS**

9
10 **7.1 Case 25CS0500099:** A request for approval of a preliminary plat known as
11 Summer Estates Subdivision. The proposed subdivision is zoned NH-1S/NH-3S
12 (Neighborhood 1 Suburban/ Neighborhood 3 Suburban), encompasses
13 approximately 33.023 acres in size, and is located south of Engler road/Thurmond
14 Road and along the east side of Settlers Pass/Longview Lane. The subdivision
15 proposed to subdivide two existing tracts into 29 new residential lots. Submitted
16 by Libbin Underwood Engineering and Surveying, representative, on behalf of
17 Thurston Kenneth R. Trustees and G. Bruce Brown, Jr. and Nelita U. Property
18 owners.

19
20 McCaslin: New business. Thank you, Commissioner Thurston. We'll see you in the
21 end.

22
23 Gonzales: Commission. Sara Gonzales with Community Development. Before you is
24 the proposed preliminary plat for Summer Estates.

25
26 McCaslin: Sorry, Sara, hang on just a second. Do I have a motion to hear item 7.1?

27
28 Ja. Acosta: Madam Chair, I'll make the motion to proceed.

29
30 Kaiser: Second.

31
32 McCaslin: Thank you.

33
34 Gonzales: Okay, we'll go round two.

35
36 McCaslin: You may proceed, sorry.

37
38 Gonzales: No worries. Once again, this is for the proposed preliminary plat known as
39 Summer Estates. The scope of the discussion tonight will be to review the
40 Summer Estates preliminary plat. This is not a zone change. The purview
41 of the P&Z is to focus on the subdivision compliance, the lot layout frontage,
42 access, the right-of-way dedication, utility extension, and connectivity.

43
44 Currently on the property, it is located south of Engler Road and Thurman
45 Road, east and west side of Settlers Pass and Longview Lane. Property
46 encompasses 33.023 acres in size and is currently two tracts, one of them,

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1 the larger portion, is vacant. The other tract does have a residence located
2 on it. The property is zoned NH-1 Suburban, NH-3 Suburban. A portion of
3 it is slash zoning. The second portion is just NH-1 Suburban. This is going
4 to be your neighborhood and then your small office and commercial uses.

5
6 Here's a zoning map of the subject property. As you can see, there is a
7 small portion along Engler and Thurman Road that are essentially the NH-
8 3. The remaining portions that are highlighted in blue is where you're going
9 to see the NH-1s. The applicant is proposing to subdivide the two existing
10 tracts into 29 residential lots. These lots will range in size from 0.88 acres
11 to 2.749 acres. The minimum lot frontage is going to be at least 40 feet
12 meeting basically the zoning code. Water and gas will be extended for the
13 subdivision as well as through Longview Lane. There is no sewer as there
14 is, the slopes don't meet for sewer to be extended so there will be septic on
15 these lots. That is the requirement as far as why the large lots have to be
16 the size they are. Per NMED standards, you have to have a minimum of
17 0.75 acres in order to put septic onto a property.

18
19 There is dedication of Engler and Thurman Road which is 60 feet as this is
20 an arterial roadway. And then there's dedication of Settlers Pass and
21 Longview Lane which is 42 1/2 feet following the existing collector roadway
22 that was basically a gap within this area.

23
24 So at this point on Summer Street, the applicant did go through the DRC
25 process. They are proposing and did get approved for alternate cross
26 sections. The 40 foot wide cross section for Summer Street is going to
27 connect to Cerro Court and I'll show you that on the aerial map of basically
28 how they're going to connect and align with one another. It will include
29 pavement, sidewalk, curb gutter, lighting, and parking on one side. That's
30 going to be an improvement from the original subdivision on Carson Ranch
31 where we do see four foot wide parkways that are dirt. We're now going to
32 see sidewalks, so it can actually enhance that roadway and connectivity.

33
34 On Engler and Thurman Road and Settlers Pass/Longview Lane, the
35 improvements are proposed to be reallocated or relocated. They are willing
36 to install the west side of Settlers Pass and Longview Lane for 42 1/2 feet
37 wide which would include pavement, sidewalk, curb, gutter, bike lane, and
38 lighting. The reason for that is to actually make the connectivity from the
39 gap we see.

40
41 So to further describe this, here's an aerial map. The property is highlighted
42 in blue which is going through the preliminary plat process. The areas in
43 green is where the applicant is required to provide the required dedication.
44 At this point, they have dedicated the 60 feet along Engler and Thurman.
45 They have dedicated the 42 1/2 feet if the subdivision were to go through.
46 However, because there is a gap of a dirt road, the applicant is proposing

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1 to take the highlighted green area and redevelop essentially or finish that
2 gap in yellow. That is also 42 1/2 feet wide. The dedication for two of the
3 parcels had already been provided. So these two parcels were dedicated
4 when they were part of the county before it was annexed in. City Council
5 approved the purchase of the final lot here on May 4th for that dedication,
6 knowing that the expansion of this road or the extension of this road is very
7 important, especially for the Sonoma Ranch area being very traffic in
8 (*inaudible*). This property owner is providing dedication as well. So this will
9 provide all dedication needed to at least do half of the road. The other side
10 on the east side, we do not have dedication at this point in time. The city
11 does not control it; it's still private property until at the time it is developed.
12

13 Here's the proposed preliminary plat. As you can see on the northern lot,
14 these areas are going to basically create 28 lots out of the 29. They are at
15 least 0.8 acres in size or larger, meeting the septic requirements. Here is
16 the required dedication and the required dedication. This would be the
17 extension of essentially Summer Street, which would then connect over to
18 Cerro Court. So you're seeing basically a mirror of a lot of the subdivision
19 itself. Here is the other portion that is located, which is Block B, that is
20 separate, which is providing the dedication, but is a larger lot. That's going
21 to be your 2.749 acres in size.
22

23 So at this point, DRC did review the subdivision from infrastructure, utilities,
24 and an improvement standpoint. On May 6th, they did approve the alternate
25 cross-section for Summer Street, knowing that it does align with Cerro
26 Court. They approved the alternate cross-section for Settlers Pass and
27 Longview Lane, knowing that it is going to provide that connecting point
28 that's already existing there. They also did approve the payment in lieu for
29 parkland dedication, as the size of the park is only 0.19 that would be
30 proposed here, which would not meet the three-acre minimum. And so
31 they'd be paying the fee in lieu for parks recommendation. And then
32 recommended approval of the actual preliminary plat and its layout. So with
33 that, staff's findings for approval, along with DRC, is it does comply with the
34 standards within the City of Las Cruces subdivision code. Part of the
35 subdivision code outlined that you just have to meet the minimum frontage
36 and your densities. Based on the property, they would be allowed to have
37 16 dwelling units per acre. They're at 1.2 because of the large lot
38 requirement based on septic. It also has a minimum requirement of the 40-
39 foot frontage, and so that is being met with each lot. Most of them are about
40 100 feet wide. You also have the lot widths. That's where I was explaining
41 they do comply with the 40 feet. Subdivision also allows for large lot
42 developments and alternative housing. We do see a lot of density going in,
43 but there has been request for larger lots within the community. Lastly, it
44 will be the extension that provides an alternative route. We do see and
45 understand that there is concerns with Sonoma Ranch and the amount of
46 traffic that is going through there from the Metro Verde development. This

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1 will also create an alternative path. We are currently seeing that Las
2 Colinas is being utilized. However, it is not an extended road. It is going
3 through private property, and so that is going to be something that's fenced
4 in that people are also using that is not a dedicated road. And so this will
5 help eliminate some of that traffic going through private property, put it onto
6 a road that's going to be a complete paved road.

7
8 Notice was sent to all the departments, all supported the preliminary plat,
9 and the proposed alternate cross-sections and connectivity. We did receive
10 two phone calls that supported the connection knowing that it is needed
11 within the area. We did receive a late e-mail that is presented to you, to
12 everybody in the council, or commission, up on the dais. It came in around
13 3:45 this afternoon. There were some concerns related to the traffic, the
14 drainage, and then the natural habitat that's there. To address the traffic, a
15 lot of that traffic is going to not necessarily be created by the additional lots,
16 but you're going to see that traffic is generated as multiple people find
17 alternative routes, and so that road is already being utilized at this point.
18 From a drainage standpoint, as part of the drainage report that the
19 developer is required to provide and the engineer goes through, they're
20 ensuring that there's on-lot ponding for any development that does come in,
21 as well as any historic flows are always allowed to remain, and so you
22 cannot create any more area that you'd actually have to pond, so that's
23 going to be taken care of within each development. With that, here's the
24 commission's options. I stand for any questions. And the applicant is here
25 as well, if you have any for them.

26
27 McCaslin: Thank you so much. Does the applicant have anything they'd like to
28 include? Hello. Can you please state your name?

29
30 Libbin: Good evening. My name is Zach Libbin, with Libbin Underwood
31 Engineering and Surveying.

32
33 McCaslin: Thank you, Mr. Libbin. Do you swear or affirm that the testimony you're
34 about to give is the truth, and nothing but the truth, under the penalty of law?

35
36 Libbin: I do.

37
38 McCaslin: Thank you.

39
40 Libbin: Thank you. I don't have a lot to add to Ms. Gonzales's presentation. I
41 appreciate her thorough presentation. As noted, Summer Estates is a 28-
42 lot subdivision intended to suit the surrounding area with large lots, larger
43 lots, and not higher density. As noted, I'm going to flip slides. As noted, the
44 developers choosing to, or voluntarily choosing to develop the yellow
45 portion of Longview Lane or Settlers Pass there, instead of the two green
46 portions, to improve connectivity, vehicular, pedestrian access, and safety

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1 there, as that yellow portion is an undeveloped road. Maybe it's not even a
2 road, barely counts as a road. But the developer's choosing to improve that.
3 There will be paved road connecting from the existing paved road to the
4 south, all the way up to Engler following this. The developer and their team
5 have worked with staff to achieve this in a straight manner, in a straight
6 path, rather than deviating, or it's taken some work to achieve a road that's
7 going to do well here, that'll improve that connection there for everybody.
8 And as noted, at least for this development, take some pressure off Sonoma
9 Ranch and the other paths in the area. That road there, again is going
10 straight. It'll be two lanes, it'll be compatible with the existing roadways
11 going north and south. The developer's still going to dedicate the green
12 portions. This lot here, to the left side, to the west side of Longview, is
13 included just for that purpose of the dedication of that right-of-way. So
14 there's not going to be any additional lots over there, other than dedicating
15 that right-of-way so this road can go straight. And as Ms. Gonzales noted,
16 the southernmost lot worked with staff to achieve dedication of that, and the
17 City Council approved.

18
19 Again, all of these roads are going to be developed with sidewalks and
20 streetlights, and the Longview portion will have a bike lane, and a six-foot
21 sidewalk, and should improve pedestrian connectivity through that area
22 there. With that, we stand ready for any questions as well.

23
24 McCaslin: Thank you, Mr. Libbin.

25
26 Libbin: Thank you.

27
28 McCaslin: Is there any public comments on this? All right, let's start on my left. So if
29 you'd like to come forward.

30
31 Brown: Good evening, my name is G. Bruce Brown. I'm the one that owns the lot
32 there.

33
34 McCaslin: Thank you, Mr. Brown. Do you swear or affirm that the testimony you're
35 about to give is the truth, and nothing but the truth under the penalty of law?

36
37 Brown: I do.

38
39 McCaslin: Thank you.

40
41 Brown: So we have some questions. The group of us, since I now know that I'm
42 not going to be part of Summer Estates, that's a good thing. One of the
43 questions is, and this is really for the staffers, I guess, questions. I didn't
44 realize I could submit questions, so I'm going to sling them out now. Are
45 there standards for driveways to this major arterial? That, are they going to
46 be able to cut driveways for all of us residents?

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1
2 McCaslin: Sorry, Mr. Brown, you have to ask all your questions. You have two and a
3 half minutes remaining.

4
5 Brown: Okay. Very good. I'll get going. What's going to happen to the existing dirt
6 road? Right now, it's you know taking all the traffic, and those of us,
7 especially on the east side, are very concerned that there's a lot of four-
8 wheeler side-by-side traffic that comes on that road. We're afraid they're
9 going to come over to our side, so I'd just like to know if there's some
10 contingencies for that. One of the things is there's barricades on either end.
11 Can we have the barricades, it's like end of road, can we have those moved
12 over to the dirt to help us out? Another question is from, we have 42 and a
13 half feet from our property line to the new blacktop. Are we responsible for
14 that 42 and a half feet for the next however many years until it gets paved?

15
16 So then another one would be, can we protect our driveway from the four-
17 wheelers and other people getting off the blacktop? That's one of the
18 questions. And then the other one is what was brought up is, when people
19 from the Red Hawk and Sonoma Ranch would hear that there's another, you
20 know a new way to get to 70, we're very aware of the high traffic patterns
21 that's going to be, considering the desert view that's going on, there's 500
22 houses there, they're going to be going that same way, and I'm just hoping
23 there's some contingencies and some traffic patterns that are being thought
24 of. Is there a way to slow people down? They're already going 35, 40 miles
25 an hour on the dirt road, let alone if this is a major arterial. And you know
26 we're very worried about us coming out into traffic. And I think that's about
27 it.

28
29 McCaslin: Okay. Thank you, Mr. Brown.

30
31 Brown: Thank you.

32
33 McCaslin: Is there anyone else? Sure, come on down.

34
35 Pearson: My name's George Pearson.

36
37 McCaslin: Hi, Mr. Pearson, do you swear or affirm that the testimony you're about to
38 give is the truth and nothing but the truth under the penalty of law?

39
40 Pearson: Yes, I do.

41
42 McCaslin: Okay, thank you.

43
44 Pearson: Okay, my concern is with the cross section for Longview. It's showing a
45 bike lane, but only in one direction. The history of these one-sided roads is
46 it might be another 20 years before they build the other side of the road. So

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1 we're building an unsafe facility for bicyclists for half of the travel. If
2 somebody's using their bicycle, maybe they've got a bike lane, maybe going
3 to work, but going home they're sharing an 11-foot lane with traffic that is
4 also probably being distracted. So the bicycle facilities for both sides are
5 needed. I saw in the cross section where there is a five-foot right-of-way
6 still available. So there's an opportunity to maybe put a multi-use trail or a
7 paved asphalt in that space, which would make it safer for bicyclists. And
8 we need to build roads. We need to be building 21st century roads where
9 we're building roads that are safe for all users, not just for vehicles. Thank
10 you.

11
12 McCaslin: Thank you, Mr. Pearson. Sure, come on down.

13
14 W. Gilman: Good afternoon, good evening, I guess. My name is William Gilman. This
15 is my daughter, Genevieve. I just had a couple of questions.

16
17 McCaslin: Hold on, Mr. Gilman. Do you swear or affirm that the testimony you're about
18 to give is the truth and nothing but the truth under the penalty of law?

19
20 W. Gilman: I do, yes.

21
22 McCaslin: Thank you.

23
24 W. Gilman: I just had some questions. As far as the development is concerned, is there
25 a plan for the developers to implement any green space in the place? I
26 understand there's a splash pad up there, but that's still pretty far away from
27 a lot of these homes that are going in and the nearby homes. And then
28 secondly, echoing some of the concerns about bike and pedestrian safety,
29 you know making sure we have that in both directions. But also are there
30 plans to make this huge road you know safer for bikes with (*inaudible*) or
31 anything like that? And who is going to be paying the expense for that?
32 And then also, there's one other thing. Walkability, you know it's great that
33 we have those huge sidewalks, but we always tend to put them right next
34 to the road where people are going 35 miles an hour or generally more,
35 such as on Roadrunner. Like it would be nice if people and our children
36 were not six inches away from traffic that's going way too fast. So can we
37 put in some trees along that? Have like the sidewalk shifted over a little bit
38 with some trees to both provide shade and protection? And even if we need
39 to make the sidewalk a little smaller, I think that is a very fair trade-off.
40 Those are my questions. Thank you.

41
42 McCaslin: Thank you, Mr. Gilman.

43
44 W. Gilman: I have a minute and a half left, so I'm going to.

45
46 G. Gilman: I want to talk.

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1
2 W. Gilman: Yes, what do you got?

3
4 G. Gilman: I'm (*inaudible*).

5
6 W. Gilman: Mr. Leaf. Okay, that's my comments. Thank you.

7
8 McCaslin: Is there anyone else?

9
10 W. Gilman: Good job.

11
12 McCaslin: All right.

13
14 Gonzales: Madam Chair. To address some of the questions, I will answer what I can
15 and then defer to Public Works as well as Parks and Recreation
16 Department. As far as the 42 and a half feet wide dedication, that is the
17 requirement per code to provide for a collector right-of-way. And so
18 unfortunately, because the property is located on one side, what would have
19 happened with the applicant's dedication is if the screen area were to be
20 improved, that's all they would have had to create was the other 42 and a
21 half feet. That's where you would tend to see that the full improvements for
22 that right-of-way would have only been within this area. It would have left
23 essentially the yellow line with no sidewalks, no connecting bike lane, only
24 the dirt path between Carson Ranch and Arroyos at Subdivision, or Arroyos
25 at Sellers Pass Phase Two. And so the dedication comes when a property
26 owner develops their land. City does not own the land on the east side of
27 this yellow line to make improvements for the other 42 and a half feet of that
28 collector right-of-way. That is owned by private property owners until that
29 is dedicated, developed, and then the city would accept those
30 improvements. At this point in time, the city does not own it and has not
31 received dedication or improvements. That's why it's only generally on one
32 side of the road. The way our code is written is a developer is to provide
33 the local right-of-ways within their development and to the full extent.
34 Collectors and arterials are half of their requirement. And so you will see
35 half cross-sections coming in as developers build out these properties.

36
37 To go and defer to the green space, as mentioned, the payment in lieu of
38 was the recommendation by the Parks Department knowing that the
39 acreage required for the park was going to be 0.19 acres. And so that would
40 not be feasible for the Parks Department to accept and maintain, in which
41 that's why you're seeing a payment in lieu of, as opposed to the open space.
42 Being these are large lot areas, you will see that a lot of people will be
43 utilizing probably their properties for some of the recreational areas, or you'll
44 be walking down to the park that's located within Arroyos Phase 2.

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1 The other area I will defer to Public Works as far as driveways and the
2 barricades, as we will have access easements that are located on the east
3 side. It's not improved, but it is a dedicated access easement through
4 deeds. And so I don't know if those barricades can be moved over while
5 we just continue to use the one side of pavement, but I'll defer to Public
6 Works.

7
8 Arend: For the record, Kyle Arend with Public Works, Interim Director. The
9 driveways can all continue. If you have an existing driveway, you can
10 continue to have an existing driveway. If you develop the property, then
11 those terms can be negotiated upon. As far as the roadway, the applicant
12 worked with Community Development and Public Works to come up with
13 this alternative to promote connectivity so that we have another route to get
14 to those areas out there besides Sonoma Ranch, and Public Works is in
15 support of that. The developer's only responsible for half the roadway, and
16 half of the roadway is what we're getting, but it does provide the full
17 connection. The other half of the roadway is not the developer's
18 responsibility. Those improvements would have to come through future
19 development or through the city's capital improvement plan. Thank you.

20
21 McCaslin: Thank you so much, staff. All right, Commissioners, do I have a motion on
22 this item?

23
24 Kaiser: I have questions. Can I ask them?

25
26 McCaslin: Yes. I'll take discussion once we have a motion that's approved.

27
28 Kaiser: Didn't we already make a motion?

29
30 McCaslin: Oh, we do? Good. Great. We're great. Commissioner Kaiser.

31
32 Kaiser: Thank you. So a couple of questions that kind of echoes what we heard
33 from public comments. One is the pedestrian and cyclist infrastructure here.
34 I want to applaud the applicant for working with the city to extend a
35 developed roadway of sorts outside of what they're legally obligated to
36 provide, so I appreciate that. But my concerns are around what we heard
37 from a couple of folks in that there's a bike lane going in one direction only.
38 I'd like to know whether or not there's any possibility to have some interim
39 cross-section that provides for two-way travel for cyclists, and pedestrians
40 for that matter, while we wait for the other parcels to acquire the right-of-
41 way needed to have a fully developed road. Because as we know, it could
42 be 20-plus years before that happens. It could never happen. And so I'm
43 concerned that we're basically building an unsafe infrastructure from the
44 beginning. So I'd like to know from staff if there's any possibility to open
45 that conversation back to find a way to have two-way infrastructure for all
46 road users.

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1
2 Gonzales: Madam Chair and Commissioner Kaiser. As this has gone through DRC
3 and they are the final body for the cross-sections or alternative cross-
4 sections, that discussion has been had and been approved. There was no
5 appeal to those cases. The appeal process is within a 15-day of the DRC
6 approval, very similar to that of P&Z when a decision is made. And so I
7 think at this point, staff would take those considerations under review and
8 then see if there's an alternative maybe through the capital improvement
9 program or not. The unfortunate part is because we do not have that
10 dedication, it's reallocating what those numbers would be. However, those
11 cross-sections have already been approved.
12

13 Kaiser: During DRC was there any, was there any discussion about, hey, we only
14 have sidewalk and bike lane going in one direction?
15

16 Gonzales: Madam Chair and Commissioner Kaiser. The discussion for DRC was that
17 we wanted an increased sidewalk. Actually, it was at that time five feet.
18 And so we asked to increase that actual sidewalk so that way it is seven
19 feet whenever you look at, or six feet so that way you have ADA compliance
20 whenever you're going around a light pole. The second thing was to
21 increase the bike lane. It was originally four feet, it went up to five feet. The
22 reason why there is a median on the other side of the roadway right after
23 you have the two travel lanes, you have a median, so that way there is
24 expected turn movements. And so that will still be happening for any of the
25 property owners that live within that area. Because they will be turning on
26 from their property to that turn lane.
27

28 Kaiser: Sure, and so the five feet that's on I guess the northbound side, does that
29 space exist?
30

31 Gonzales: The five foot area is going to exist in the cross section. It is labeled as a
32 median. That was what it was approved as, only because you will still have
33 turning movements for property owners to access their property on the east
34 side. So you cannot put a full connection necessarily if the median is where
35 they're going to be turning from because you'll have access from driveways
36 to basically their access easements.
37

38 Kaiser: So that five foot on the right-hand side of the cross section for Longview
39 Lane is reserved exclusively for turning vehicles?
40

41 Gonzales: Mr. Chair, or Madam Chair and Commissioner Kaiser. That is correct, yes.
42 That these cross sections have been approved.
43

44 Kaiser: That's very disappointing to hear. Once again we don't question whether or
45 not there's going to be two vehicle lanes traveling in either direction. We
46 never question that. But when it comes to pedestrian and cyclist

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1 infrastructure you can get half, then good luck coming home. I'd like to find
2 a way to have an interim bike facility in that five feet to accommodate cyclists
3 who may be coming northbound on Longview Lane.
4

5 Gonzales: Madam Chair and Commissioner Kaiser. I think that's something we have
6 to look at for the entire cross section area because if you do notice, it goes
7 all the way from Engler up and through Arroyos. There's only half of the
8 road actually improved. So it's further than what the developer is required
9 to do at this point in time. Only half of this roadway has ever been improved
10 for the developments that have come in. And so that's consideration, which
11 is why I say this may be an alternative cross section that something City
12 Council or staff needs to review and see if there is an alternative, knowing
13 that it's not going to just be this yellow area that the developer is putting in.
14 If you look at Carson Ranch, it is only developed at 42 1/2 feet as well. It
15 does not have it. So this is where the applicant proposed essentially the
16 same cross section that has been approved with Carson Ranch and Arroyos
17 at Settlers Pass by making that connection. And so they're aligning.
18 However, we did request that they widen those sidewalks and that bike lane.
19 And so those are going to be the two differences knowing that we were still
20 constrained, but that they connect fully to Settlers Pass on the south side.
21 But there's a lot larger area that's not just 1,500 feet that actually has the
22 missing bike lanes or the missing sidewalks on the east side of the
23 properties to consider.
24

25 Kaiser: So I had a very difficult time tracking what you were describing. If you could
26 pull up a map that would.
27

28 Gonzales: I would say right here. So if you look at this area here, only the west side
29 is improved.
30

31 Kaiser: Sure.
32

33 Gonzales: So on this side there's no connectivity for a bike lane. There's no
34 connectivity to a sidewalk. So in reconsidering this cross section here as
35 well, there's no connectivity to the north or to the south for either one of
36 those improvements. That's why staff, when they reviewed it from DRC
37 standpoint was that we were seeing the connectivity as a straight shot of
38 the sidewalk, the pavement, and the actual bike lanes being improved. The
39 west side is not, or the east side is not improved at all on the north or on the
40 south side.
41

42 Kaiser: But that green section, they would be developing, the applicant is
43 developing the other half.
44

45 Gonzales: No, they're not. They're taking those improvements and putting it into the
46 yellow. So once again, we're only seeing 42 and a half feet here being

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1 developed. This half over here, the improvements that they're required to
2 put in, so instead of getting essentially 85 feet in this green area, these
3 improvements are being reallocated for the yellow.
4

5 Kaiser: Okay.

6

7 Gonzales: The green is a total of like 1,300 linear feet. We're looking at about 1,500
8 feet for the applicant. So they're extending more than what their
9 requirement is just to get that connection.

10

11 Kaiser: Okay.

12

13 Gonzales: So that's where I think you know DRC considered those improvements, but
14 understanding there was no connectivity to the north or the south side.

15

16 Kaiser: Yes, I'm tracking. But I guess my underlying problem is we only gave half
17 of the connectivity for everyone except for vehicles. It's kind of problematic.
18 Along those lines, what is the applicant or the city rather requiring for the
19 intersections of, I think that is, I had it written down here, Cerro Court and
20 Summer Street across Longview and then Engler. Is there going to be any
21 sort of traffic calming or I mean, presumably you're going to have-

22

23 McCaslin: Point of order, Commissioner Kaiser. That's not part of this discussion,
24 unfortunately.

25

26 Kaiser: I don't understand.

27

28 McCaslin: It's not part of this development that's in question.

29

30 Kaiser: Connecting the intersection? They're building the road on the other side.

31

32 McCaslin: Does it connect, Sara?

33

34 Gonzales: Madam Chair, Commissioner Kaiser. The connection is going to be going
35 across to the paved area, yes.

36

37 Kaiser: Yes, you're creating an intersection.

38

39 Gonzales: It's going to connect through this area and then go to the north side. So
40 yes, they would have to connect in order to get to that paved section.

41

42 Kaiser: Right. And then the same thing on the north across Engler, right? You're
43 basically going to have a T intersection.

44

45 Gonzales: Madam Chair and then Commissioner. Correct. You're going to have Ts
46 to get actually to those right-of-ways, yes.

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1
2 Kaiser: So how are we addressing potential pedestrian crossings at those
3 intersections? I mean it's a residential neighborhood. You're going to have
4 residents who want to get to either side, whether you're coming out with a
5 bicycle. Is there going to be any kind of traffic calming measures at those
6 intersections to facilitate that?
7

8 Gonzales: Madam Chair, Commissioner Kaiser. I will defer to Public Works as to what
9 improvements would be required to mitigate.
10

11 Arend: Again, Kyle Arend, Public Works. At this point, it'd be preliminary to
12 determine that. Right now we're looking at the alternative cross-section,
13 which is to provide the connectivity, but we haven't seen the actual details
14 of what pedestrian improvements might be coming across Longview. But
15 they will be expected ADA and PROWAG.
16

17 Kaiser: Sorry, could you speak a little closer to the mic? I couldn't catch the last
18 part. You said there may be...
19

20 Arend: They would be expected to meet ADA and PROWAG requirements for
21 pedestrian crossings.
22

23 Kaiser: Okay, so specifically is that a, is that a stop sign? I mean how would
24 pedestrians be able to cross at those locations safely?
25

26 Arend: Is the question will there be a crosswalk?
27

28 Kaiser: Or any kind of traffic calming in addition to a crosswalk?
29

30 Arend: No, I don't believe that there's any traffic calming or crosswalks shown at
31 this time.
32

33 Kaiser: Okay. Thank you.
34

35 McCaslin: Commissioner Smith.
36

37 Kaiser: Those are all my questions. Thank you.
38

39 McCaslin: Thank you.
40

41 Smith: I just have one question. And this is for the developer. I know you're paying
42 the \$100,000 in lieu of fee for not developing any type of park, and that's
43 because it would not meet the city's requirement for size. Why wouldn't you
44 allocate space for a park? I mean you're going to have 28 lots here. My
45 guess is that there will be younger families with children, and I just don't
46 understand why that wouldn't be part of this development plan.

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1
2 Libbin: Madam Chair, Commissioner Smith. The requirement for a park is
3 calculated based on the number of lots. And as noted, the number of lots
4 only warrants that 0.19 acres worth of a park, both land dedication and
5 improvements. And at that size, the city won't take that over for
6 maintenance. So the minimum, as I understand it the minimum would be
7 three acres the city would accept for a park. It's just pure economics why
8 the developer's not going to give up three acres of this development for, to
9 give up three lots of this for a park for the city to maintain. Otherwise, the
10 city wouldn't accept maintenance of that park.
11
12 Smith: All right. Thank you.
13
14 McCaslin: Commissioner Acosta.
15
16 Ja. Acosta: I would just like to make a comment to the developer. I'd like to applaud
17 them for the alternate route for distributing traffic. Public safety is very
18 important, so I would like to commend them for that.
19
20 McCaslin: Is there any further questions?
21
22 Kaiser: Yes, I just have one clarifying question on the zoning piece. So that
23 northern portion, it appears that they're not doing anything differently. So
24 how does that come into play? Can you explain that again?
25
26 Gonzales: Madam Chair and Commissioner Kaiser. Basically we do have properties
27 that may have dual zones. And so whenever the new development code
28 was adopted, if you already had zoning that was essentially pancake
29 zoning, then you had the availability to use both of them. And so they could
30 have developed this property as either NH-1 or NH-3. They could have
31 used either to build out. Along Engler they could have built commercial
32 offices. They could have designated the area and then did single-family.
33 Or they can use single-family as single-family is allowed in both zones. And
34 so essentially, whatever the zoning allows as far as land uses is how the
35 property can be further subdivided. So they would have had either
36 opportunity.
37
38 Kaiser: Thank you.
39
40 McCaslin: Commissioner Smith.
41
42 Smith: I have one more question. How long has this area been zoned for
43 development?
44
45 Gonzales: Madam Chair and Commissioner Smith. So the property was annexed in
46 1987. At that point in time, it was given zoning.

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1
2 Smith: All right. Thank you.

3
4 McCaslin: Commissioner Acosta. No. All right. We'll call for the vote.

5
6 Faivre: All right, this is on the vote for item 7.1. Commissioner Smith.

7
8 Smith: Yes.

9
10 Faivre: Commissioner Kaiser.

11
12 Kaiser: Yes. And I would like to encourage staff to find some temporary solution
13 for that bike infrastructure.

14
15 Faivre: Vice-Chair.

16
17 Ja. Acosta: Yes.

18
19 Faivre: And Chair.

20
21 McCaslin: Yes.

22
23 Faivre: Thank you.

24
25 McCaslin: Thank you very much for everyone's participation in that.

26
27 **7.2 Case 26ZO0500015:** A request for approval of a zoning map amendment for an
28 unsubdivided parcel within the Royal Cross development. The property is located
29 south of Mercy Drive, encompasses approximately 22.08 acres, is zoned NH-2U
30 Neighborhood 2 Urban), NH-3U (Neighborhood 3 Urban), and OS-1U (Open
31 Space Recreational Urban). Proposed zoning is NH-1U (Neighborhood 1 Urban),
32 NH-3U (Nh 3 Urban), OS-1U (Open Space Recreational Urban), and OS-2U (Open
33 Space Drainage Urban). No changes to the town center overlay. Submitted by
34 Souder Miller and Associates on behalf of LC Land, LLC., property owners.

35
36 McCaslin: Do I have a motion for the next agenda item?

37
38 Ja. Acosta: So moved.

39
40 Kaiser: Second.

41
42 McCaslin: Welcome back, Commissioner Thurston. All right.

43
44 Gonzales: Once again, Sara Gonzalez with Community Development. Before you is
45 the zoning map amendment proposed for the Royal Crossing area. As part
46 of the scope for the discussion will be limited to the proposed zoning map

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1 amendment area. P&Z's role is to be a recommending body for approval or
2 denial to City Council. The discussion should focus on the land uses, the
3 zoning compatibility, density transition, connectivity and consistency with
4 adopted plans for the proposed area. This request does not approve a final
5 site plan, subdivision plat, building permit, or construction plans. The
6 development will still have to meet all of the required developments as far
7 as access, drainage, utility infrastructure, and permitting requirements.

8
9 So currently the property is located within the Royal Crossing development.
10 It is located on the south side of Mercy Drive. It encompasses 22.088 acres.
11 It is unsubdivided and is a vacant parcel. Current zoning on the property is
12 NH-2 urban, which is encompassing about 11.19 acres in size. NH-3 urban,
13 which is 5.4 acres in size. And then OS-1 urban, which is our open space
14 recreational for about 5.41 acres. This is also located within the Apodaca
15 Blueprint.

16
17 Here's a zoning map of the subject parcels that we are discussing this
18 evening in which the purview is related to. So the current property is zoned
19 NH-2 in the yellow. You do have the open space recreational in green. And
20 then you have the NH-3 that is located in the orange area. As you can see,
21 the surrounding property is vacant as well as the parcels. And then you do
22 have the single-family residential located to the east side.

23
24 The applicant is proposing to change and modify to NH-1 urban zonings for
25 14.11 acres. This would change primarily the NH-2 down to an NH-1 urban.
26 The NH-3 urban is about 6.08 acres in size. And then the open space
27 recreation will go down to 0.68 acres. Then you have open space drainage
28 down to 0.72 acres. There is an area that's left over for future right-of-way
29 and open space that will provide connectivity to the east properties.
30 However, there is no change to the town center overlay as that is still part
31 of the designated overlay that was required in Elevate Las Cruces.

32
33 So to further explain, if you look, this is going to be your existing zoning map
34 that's currently here. What has been modified is this has been expanded
35 down. So when I'm looking at this line here, it has basically moved down
36 and been reallocated. This is already NH-3. However, it has been
37 expanded further. This area here, which is the NH-2 designation is being
38 proposed in blue to be NH-1 as well as the open space. And the applicant
39 did go through and update their drainage report where it reflected that the
40 open space recreational area that was also a joint drainage facility was not
41 necessary as they have created on-lot ponding for the properties, and so
42 they could be reduced. So after staff's review and engineering, it was
43 determined that those areas could be modified if they requested to. So now
44 there'll be two areas where the drainage actually is maintained. This area
45 is directly adjacent to the Apodaca Park where their drainage facility as well
46 is located. This will be a small retention pond that's located within the

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1 property. This is the area that would provide connectivity for the future right-
2 of-way. So as you can see this is a lower density than what was originally
3 approved through the new development code.

4
5 So as far as recreation, there is going to be a connection to the linear park
6 that is proposed on the north side of the development. This will create a
7 safe dedicated area that is non-within-vehicle traffic. So this would go
8 through the actual development once a developer comes forth with the
9 preliminary plat. So this will be separate from the actual vehicle roads. This
10 does fulfill a conceptual plan that was provided in the Apodaca Blueprint
11 providing multi-use trails that are going to get you to the adjacent
12 neighborhoods connecting to Apodaca Park as well as the Outfall Trail and
13 Triviz Channel.

14
15 So the benefits with the proposed zone change before you is it is going to
16 decrease in density, especially next to the existing residential district
17 towards that east side. It is compatible with the residential that is there. It
18 also does provide housing services and recreational in a centralized
19 location, meaning the NH-3 was designated in the Blueprint as a flex district,
20 and that actually called out where you have different offices, services that
21 are going to provide to the residents within that area. This also redevelops
22 the infill area and the urban core. There's a lot of focus right now on
23 redeveloping these existing sites so we don't continue to sprawl out. This
24 will also provide connectivity between the neighborhoods that are existing.

25
26 Staff did provide a recommendation of approval knowing that the transition
27 between the existing single-family residences is more comparable to the
28 proposed zone change than what was originally provided. It also does
29 provide all those services as well as commercial needs and necessary
30 services that will be provided to that neighborhood as well as whatever is
31 existing. Connection through the trails is one of the main ideas from the
32 Apodaca Park plan because it did actually connect to the Triviz Trail, which
33 you know also has a lot of park area, and so you're connecting multiple
34 places within the city. And it meets the intent of what the conceptual
35 blueprint plan was. Notice was sent to all the relevant departments in
36 support of the zoning map amendment. We did receive one call today
37 regarding the notification requirements. To clarify the notification
38 requirements per our code, we are required to send out letters and
39 notification within 500 feet of the area to be rezoned. So it will not be the
40 entire parcels, it's the area to be rezoned. That is higher than what the state
41 standard is of 200 feet. So we understand that trying to notify everyone as
42 well. With that, here are the commission's options. I stand for any
43 questions. And the applicant's representative is here as well.

44
45 McCaslin: Thank you, Sara. Does the applicant's representative have anything to
46 add?

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1
2 Pompeo: Hello, Madam Chair. Paul Pompeo with Souder Miller Associates
3 representing the applicant.
4
5 McCaslin: Hello, Paul. Do you swear or affirm that the testimony you're about to give
6 is the truth and nothing but the truth under the penalty of law?
7
8 Pompeo: Yes, I do.
9
10 McCaslin: Thank you.
11
12 Pompeo: Good evening, commission. The staff's presentation was very complete. I
13 don't have anything to add to that other than to stand before you and answer
14 any questions that you might have. I would also remind the commission
15 that this basically is a reduction of intensity. It's basically a reorganization
16 of our drainage facilities and the creation of the trail in the green there. So
17 once again an enhancement over the existing zoning. So with that, Madam
18 Chair, I stand for questions from this body.
19
20 McCaslin: Thank you so much. We will get to you with those questions, I'm sure.
21
22 Pompeo: Thank you very much.
23
24 McCaslin: Is there any public members that would like to speak on this issue? Okay,
25 great. Would you like to approach the podium?
26
27 Potter: Thank you. My name is Connie Potter.
28
29 McCaslin: Hi, Connie.
30
31 Potter: I live at 2505 Desert Drive.
32
33 McCaslin: Connie, hang on just a second. Do you swear or affirm that the testimony
34 you're about to give is the truth and nothing but the truth under the penalty
35 of law?
36
37 Potter: I do.
38
39 McCaslin: Thank you.
40
41 Potter: My comments have to do with the characteristics of the Country Club
42 neighborhood. For about 10 years, I was president of the Neighborhood
43 Association. We worked very hard to make sure that whatever happens to
44 this blighted property, and it is blighted, is consistent with the characteristics
45 of our neighborhood. Our home density is three homes per acre. My home
46 is on 0.6 acres. My home backs directly to this. We are all worried about

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our property values. The other thing is there are only four homes in our neighborhood that are more than one story. We are a one-story ranch, mid-century modern neighborhood, and we're working very hard to get us designated as a historical neighborhood, mid-century modern. The changes that have been made may or may not be consistent with our neighborhood characteristics, because I don't know what in whatever urban, what the density is, but if it's more than one story, it's not. If it's you know 10 homes per acre, it's not. And the connectivity to our neighborhood through that little pathway, that is an arroyo. That is drainage with a chain gate that's locked all the time. It's not a road. We don't want traffic on Desert Drive and San Acacio. Our roads are falling apart. Nobody's doing anything for us as far as the roads, as far as maintenance, as far as any kind of improvements. We're doing them ourselves. So as we look at what this is going to do to affect one of the oldest, nicest, most stable residential areas in this city, we need to think about what is compatible with the investment we have placed in our homes, the maintenance we have placed in our homes. We are virtually all first and second homeowners, virtually all. We've lost a few you know to nursing homes, etc., but we've been there since there was a golf course, that was promised to be there into perpetuity in its deed. How'd that go? So we will be watching. We will be very careful to see that you respect the characteristics of our neighborhood as you move ahead to do something about this blight. And I don't know if you know, but in June of last year, in June, a year ago ...

McCaslin: Thank you Connie.

Potter: We had 20 fires, 20 fires in that property.

McCaslin: Thank you Connie. Thank you.

Potter: Fire department came every time.

McCaslin: We're grateful for our fire department. Is there anyone else that would like to speak? Please approach the podium.

Shervanick: Thank you. Thank you.

McCaslin: Please state your name.

Shervanick: Gregory Shervanick.

McCaslin: Thank you, Gregory. Do you swear or affirm that the testimony you're about to give is the truth and nothing but the truth under the penalty of law?

Shervanick: I certainly do.

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1 McCaslin: Thank you.

2
3 Shervanick: Thank you very much. Mine has to do with safety. The area on the other
4 side of Mercy Street as you see on this map is a parking lot. And that
5 parking lot belongs to the medical building, which is not the hospital. Now
6 the parking lot to my right of the picture, which is east in orientation, whereas
7 a large brown square is the parking lot for the hospital. This body gave to
8 the hospital an SUP for a heliport, which is not built. Now this woman lives
9 80 feet from that heliport on the eastern side where that new access area
10 is going to be. So the safety becomes this. If these areas are three stories,
11 then we need to monitor how traffic, air traffic arrives at this heliport, which
12 isn't built yet. And to be very honest, when this resolution, when the
13 commission voted to affix the USP (SUP) for the heliport, it was appealed
14 and it's all on video. So you can watch all this and staff can give you all the
15 information concerning it. But there are only two ways that a helicopter can
16 land in this area because first of all, the hospital's a tall building. Secondly,
17 there's high power lines that run north and south behind the hospital. So
18 the entrance to this heliport area is only in two manners. So I would like the
19 opportunity for you to see a two-dimensional or three-dimensional routing
20 of how helicopter traffic is going to fly over possibly low-income areas, high-
21 income areas, traffic areas, because you've got a road right by this heliport.
22 And so I think in safety, and under the state law nobody's supposed to be
23 landing in a dirt lot irregardless. It's a violation of FAA rules. And you are
24 most welcome to call New Mexico Department of Transportation in
25 aeronautics and get all the rules because when this body was given that
26 information, it was not supplied to them. So I would like the contractor and
27 developer to please show us the two routes over this property. Thank you.

28
29 McCaslin: Thank you, sir. Yes, please come down.

30
31 Pearson: My name's George Pearson.

32
33 McCaslin: Thank you, Mr. Pearson. Do you swear or affirm that the testimony you're
34 about to give is the truth and nothing but the truth under the penalty of law?

35
36 Pearson: I do.

37
38 McCaslin: Thank you.

39
40 Pearson: So the narrative talks about the multiuse trails and connectivity, but I haven't
41 seen actually any plans on how that works. So I'd be interested in seeing,
42 making sure that if I'm coming along Madrid, for example, and need to go
43 to the hospital, will I be able to go through that property area on a trail? It
44 sounds like the trails might be dedicated to the city parks. So maybe the
45 parks department could do a presentation on that. I'm chair of the MPO's
46 Bicycle and Pedestrian Facilities Advisory Committee and I would invite the

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1 developer and City Parks and Rec to do a presentation that shows that
2 connectivity so that we can make sure that we have proper ability to go
3 through that area. I can tell you that I've gone to the hospital on my bicycle
4 and tried to go towards where that property is and that was an adventure.
5 That was before some of the construction was done so I probably can't even
6 do it now. But there should be good connectivity from the hospital area,
7 through the property, to Madrid, to South, to Main Street, to the Outfall
8 Channel. It's promised but it's not described. So that's what I'm asking is
9 to see some of those plans. Thank you.

10
11 McCaslin: Thank you. Anyone else? Yes, ma'am.

12
13 St. John: I'm Eva Navarro St. John. And I also live in the ...

14
15 McCaslin: Hi Ms. Navarro. Just give me just a second. Do you swear or affirm that
16 the testimony you're about to give is the truth and nothing but the truth under
17 penalty of law?

18
19 St. John: I do.

20
21 McCaslin: Thank you.

22
23 St. John: I also live in the Country Club neighborhood. So really I don't have a
24 comment, I have a question. What is the developer intending to put in there
25 as specifically as possible? Can you tell us that? That's what we want to
26 know. You know the kind of housing, the number of units, that's what we
27 need to know. So can somebody please answer that question?

28
29 McCaslin: Thank you for your question. Yes, ma'am.

30
31 Ruebush: My name is Aubrey Ruebush.

32
33 McCaslin: Say it again.

34
35 Ruebush: Aubrey Ruebush.

36
37 McCaslin: Hi Aubrey. Do you swear or affirm that the testimony you're about to give
38 is the truth and nothing but the truth under penalty of law?

39
40 Ruebush: I do.

41
42 McCaslin: Thank you.

43
44 Ruebush: Just kind of the same comment. I recently purchased my home in the past
45 three years, and I purchased it in this neighborhood because there isn't a
46 lot of high story buildings. There is one or two apartment complexes but

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1 they are on Madrid so they don't directly affect my home. So that is one of
2 my biggest concerns is if we're going to be putting stories there because I
3 do like the one level properties. And that's it. Thank you.

4
5 McCaslin: Thank you. Is there anyone else? All right. Sara, would you like to address
6 any of that?

7
8 Gonzales: Madam Chair. The first one to kind of address would be the actual
9 connection that is being made with this proposed zone change is actually
10 going to be here on Martha Drive. Back in 1963, essentially too far, there
11 was actually dedication provided to the City of Las Cruces to make this
12 improvement. And so that would be the actual connection that staff would
13 be looking to see coming in with the development as the developer comes
14 in with their preliminary plans to match that zone change that's being
15 proposed. And so we'd want to see that that's already been dedicated to
16 us. It is a 50-foot right-of-way, so we'd see that connection to where it does
17 provide some type of connectivity.

18
19 The other questions as far as the actual specifics for the development, I will
20 go ahead and defer to the developer to divulge any information they do or
21 don't have at this time. As far as the park land plans, there are no trail
22 system plans in place at this point in time. This is only the purview of the
23 zone change to once zone is established, then we will probably see the
24 preliminary plat coming in with more of those details.

25
26 Pompeo: Good evening again, Madam Chair. Basically, I'm going to tell you what
27 we're anticipating, but I want to make it perfectly clear that we're not giving
28 up any of our rights to develop this property under what the mapped zoning
29 is going to be. The area that's kind of in a red color is right now probably
30 looking at a medical office building, other commercial uses such as that.
31 The blue will be residential housing. I don't know. There are concept plans
32 with single-family alternatives. There's also plans with multifamily. So at
33 this time it will be residential, but at this point in time, I can't say definitively
34 what those will be.

35
36 McCaslin: Thank you. Yes, ma'am.

37
38 Harrison-Rogers: This is Katherine with Parks and Rec Department. I just wanted to
39 answer some questions related to the trail connections, if it's appropriate to
40 speak at this time.

41
42 McCaslin: Yes, please.

43
44 Harrison-Rogers: Okay. We've had several discussions with the developer regarding the
45 trail. The intent really is to be able to connect the Outfall Channel Trail into
46 Apodaca Park and provide some connections. Public Works is working

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1 currently on a connection from Camino Del Rex to the Outfall Channel. And
2 this particular trail will connect east of Legacy Drive from Camino Del Rex,
3 follow along that eastern edge, and then ultimately follow along the
4 undeveloped portion once it gets developed. Then it will culminate at the
5 corner of Apodaca Park where the access road is, not at the drainage.
6 Those have been the discussions with the developer because we have to
7 have people make it into the park. Parks and Rec is currently working on a
8 plan to create a loop around the park, and of course, that will provide
9 connection to Madrid and Solano. So I thought I would outline that for you.

10
11 McCaslin: Thank you, Katherine. Commissioners. Commissioner Kaiser.

12
13 Kaiser: So along the lines of the connectivity piece, first, I think it's great that we're
14 going to have this system, the trail system continued connecting these open
15 spaces. But I want to know specifically how this connects to the interior of
16 the development. As we know, active transportation, cycling, walking is
17 more than just a recreational activity. It's often a legitimate, well, it is a
18 legitimate form of transportation anywhere you want to go, and so I'm just
19 curious how that is going to interplay here. What has currently been built
20 out there under I think phase one, there's no cycling infrastructure, there's
21 no bike lanes, there's nothing. So if I was coming from the Triviz Trail or
22 the Outflow Channel or even Apodaca Park, how do I then get into the
23 businesses or the residents that will be built in the future?

24
25 Harrison-Rogers: Katherine Harrison-Rogers again with staff, Parks and Rec. I can speak
26 loosely on a couple of things, however, I'm not designing it, so I would really
27 defer probably, to the engineer who is designing it. But I would like to point
28 out that there is, on Samaritan Drive, actually, an easement linking
29 Samaritan Drive to Apodaca Park, so that's one. Hasn't been constructed
30 yet, but there is an easement. And then also the trail that's under discussion
31 that leads from Camino del Rex all the way into Apodaca Park does have
32 some connections to the interior roadways that have been planned. Again,
33 this is still under design, and so I'll defer to the engineer on that.

34
35 Pompeo: Madam Chair, Commissioners. There, trailing on to what Katherine said,
36 there's also a set-aside for a multi-use path or connection in this area here,
37 which comes along the internal roadway. And then from the area in green
38 here, coming across either the northern road here, across the front of lots
39 one, two, three, and four of the Park Ridge subdivision, and also the internal
40 roadway here. So that's what is currently set aside, remembering that the
41 genesis of this development happened before this whole area to the north
42 here is part of Park Ridge. Medical replat number one, which has the six
43 primary lots, the hospital, MOB, and the four lots to the north, all that was
44 subdivided before a lot of these requirements came into place.

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1 Kaiser: Okay. Thank you. That's really good to hear. I just hope that we commit
2 to that. I know just what's been built out there, none of that exists, it's just
3 the road, so presumably it's going to get built out as each of these lots is
4 developed. My concern though with that is if the middle one goes first, it's
5 on an island, and we're going to kind of have to wait for everything else to
6 come together. So I would just like to see a way to actually put that
7 infrastructure in earlier rather than later, if that's even possible at this stage.
8 I recognize that it's slightly tangential to hear but thinking through how all
9 this ultimately will connect is important. Another ...

10
11 McCaslin: Thank you, Paul.

12
13 Kaiser: Yes, thank you.

14
15 Pompeo: Sorry.

16
17 Kaiser: You can stay at ...

18
19 McCaslin: I was just saying thanks. Sorry.

20
21 Kaiser: I don't know if my next questions are going to be for staff, but the pond,
22 actually this is a question for you, Paul. The ponding issue, when we were
23 first hearing this for phase one and two at the time, we asked, I asked a
24 question about the drainage study and how that was going to work and
25 making sure that we have kind of a cohesive development and we're not
26 just ending up with however many lots this is and that's how many ponds
27 we end up with. The response I got at the time was don't worry, we have a
28 master drainage plan and we're going to find ways to you know kind of
29 consolidate so that we have, we don't end up with this hodgepodge, ad hoc
30 you know ponds on every lot because that's really going to be destructive
31 to the cohesiveness of this entire neighborhood, which is basically what
32 we're building. But now we're, it sounds like we're going the complete
33 opposite direction, so I'm just curious why the change there.

34
35 Pompeo: There have been, Madam Chair, Commission, there has been several
36 drainage reports that since that time have come up and gone through the
37 review process with Public Works. Some of those elements of those plans
38 that changed over time was there was supposed to be a major ponding area
39 in this area here, which was to take all the runoff from this side of the
40 development, including the hospital MOB. That has changed. This ponding
41 area is just, there's also a pond here in front of the hospital itself. The
42 combination of those two ponds takes care of the runoff from the hospital
43 itself. But one of the elements that came up later was the drainage on
44 Solano. So we, the developer, and in the approval of those reports, has
45 taken it upon themselves to have increased ponding, on-lot ponding in this
46 end of the subdivision, which we have to do required by code. But the

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1 combination of these ponding areas and those on-lot ponds reduces the
2 actual runoff that makes it out to Solano because of the overload that's on
3 Madrid. So those changes were necessary as we move forward to make
4 sure that the drainage on Solano did not get any worse. So it was a shift,
5 but basically still a combination of both. The pond that's in the lower corner
6 here was simply created because that's the topographic location of that
7 corner there. Also, this open space was supposed to be open space and
8 ponding, but it just, because there's an arroyo that comes off of this roadway
9 that's here that makes its way through. We had to design for that, and so
10 this area just couldn't be, it couldn't be used for open space because it was
11 going to be an arroyo. So the decision was made to not go in that direction.
12

13 Kaiser: Okay. All right, thank you for that. I think my last question is on the zoning.
14 So the NH-3 going, well, let's see. No, the NH-2 becoming the NH-1, this
15 is a question for staff. My understanding is, and correct me if I'm wrong,
16 that there's no minimum density requirement regardless. Is that true?
17

18 Gonzales: Madam Chair, Commissioner Kaiser. That's correct. You have a maximum
19 density is what was placed in all of the zoning districts. So right now, that
20 current density is at 50 based on NH-2. It will be reduced down to 40, so it
21 is going down to where you can reduce some of those densities. Not
22 necessarily when you start including roadways and stuff will you see those
23 densities actually appear.
24

25 Kaiser: Right. So I guess the question that I have is why the need to lower the
26 zone, to basically go from an NH-2 to an NH-1, when you basically can do
27 the same in either. You can do less density, but you also get the flexibility
28 to do more should the developer choose that path at a later time. Why the
29 need to actually lower the cap?
30

31 Gonzales: Madam Chair, Commissioner Kaiser. One of the reasons would be is to
32 reallocate that area that was already zoned as that open space for drainage
33 and park area facility that provides you the density that can go there. By
34 reducing it, it's more compatible with the existing east side. However, with
35 the town center, you do still have the opportunities of increasing that bonus
36 with the density. And so you're still not losing necessarily that density as
37 it's still part of the town center. So if someone did come in with a
38 development, you can increase your density. Whether it's by 150% if you
39 actually do residential units. So there's still that opportunity to see the
40 density come in and be appropriate for the area based on the urban core
41 was wanting more of that density bonus.
42

43 Kaiser: Okay. And the bonus that they would be eligible for is an administrative
44 bonus, or do they have to come back before us to request it?
45

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1 Gonzales: Madam Chair and Commissioner Kaiser. Because the town center is
2 already in place, it is administrative. And so they can use that opportunity
3 to build out the town center and actually use all the commercial
4 development, the office, as well as the residential units can use the town
5 center requirements.

6
7 Kaiser: Okay. Thank you. I'll just editorialize for a moment. It's strange to me that
8 we would sort of handicap ourselves here in this situation. You know we
9 just went through Realize Las Cruces. One of the big efforts there was
10 trying to increase densities in our core. This is a major redevelopment
11 project, probably one of the biggest that the city will ever see because of
12 the size of the lot where it's located in our urban core. I just feel like we're
13 sort of stepping back from that effort by reducing this zone here. I think for
14 me personally, I love everything about this. I would just ask that we keep
15 the NH-2, NH-2. That's all I have. Thank you.

16
17 McCaslin: Any other questions, commissioners? Commissioner Thurston.

18
19 Thurston: I have a couple of questions for clarification. Is this NH-1 urban? Is it NH-
20 1 suburban? What's the?

21
22 Gonzales: Madam Chair, Commissioner Thurston. This is NH-1 urban. And so you
23 do see a higher density. You do see maxable densities in these areas.

24
25 Thurston: Okay. The second one is more on a, I don't know if this is zoning, if I can
26 even ask this question for tonight, but a secondary access for that area, if
27 that's even applicable right now to ask that question. Because it seems like,
28 on Google Earth, trying to figure out where the secondary access off of that
29 would be to, if we're to put a lot of homes there for the zoning, don't know if
30 that's even applicable tonight, but.

31
32 Gonzales: Madam Chair, Commissioner Thurston. Once the zoning is established and
33 gone through City Council to see what those zoning designations would be,
34 then you would be presented with the preliminary plat showing connectivity.
35 At that point in time, the fire department does have requirements as to how
36 many access points you do have to have for each units.

37
38 Thurston: My other one is, I don't know the history, the blueprint history of this area.
39 What I just noticed on here was, it seems like we have 5.41 acres of open
40 space. And then because of the ponding and changing of ponds, trying to
41 go back to it, it looks like we have a reduction of open space, and which is
42 also going into the NH-1. But we have a reduction of, I think it's roughly like
43 3.6 acres reduced in open space. Is there anything in the blueprint that
44 would prevent us from wanting to allow that to happen? Is there like certain
45 amount of open spaces that we were supposed to have or certain amount
46 of densities according to the blueprint?

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1
2 Gonzales: Madam Chair, Commissioner Thurston. There was a limit or a conceptual
3 plan that was provided. So when we look at blueprints, they are conceptual.
4 As part of that plan, it did look to have about four acres as far as open space,
5 but that was going to be the continued trail system, that was going to be any
6 connections to the park, and so they'd all be encompassing. So what you
7 see as part of the zone change tonight may not be the included amount as
8 to the acreage that's being presented for the open space. The reduction in
9 this open space was primarily due to the drainage structure. That's no
10 longer needed as it's going to be used as on-lot ponding.

11
12 Thurston: Okay. So as far as the master plan and other things like that that were
13 previously approved, we're not, by reducing the open space, it's not
14 affecting any of the previously things that were approved, is that correct?

15
16 Gonzales: Madam Chair and Commissioner Thurston. That is correct. And so by
17 moving these ones, you're just going to see them basically being reallocated
18 throughout the rest of the actual development.

19
20 Thurston: I think those are my only questions I have. Thanks.

21
22 McCaslin: Commissioner Kaiser.

23
24 Kaiser: I'd like to make a motion for an amendment to retain as proposed but keep
25 the NH-2 zone NH-2. Is that kosher?

26
27 McCaslin: Okay, is there a second for that amendment? Seeing none. The motion
28 dies. Is there any further discussion on the main motion? All right, let's call
29 for the vote.

30
31 Faivre: This is on the vote to approve item 7.2. Commissioner Smith.

32
33 Smith: Yes.

34
35 Faivre: Commissioner Kaiser.

36
37 Kaiser: Yes.

38
39 Faivre: Commissioner Thurston.

40
41 Thurston: Yes.

42
43 Faivre: Commissioner Acosta.

44
45 Ja. Acosta: Yes.

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1 Faivre: And Chair.

2
3 McCaslin: Yes.

4
5 Faivre: Thank you.

6
7 McCaslin: Thank you. Motion passes.

8. DISCUSSION

10
11 NONE

9. STAFF ANNOUNCEMENTS

14
15 McCaslin: Is there any staff announcements?

16
17 Gonzales: There are no staff announcements at this time, Chair.

18
19 McCaslin: Thank you so much.

10. ADJOURNMENT (7:20)

22
23 McCaslin: I would entertain a motion for adjournment.

24
25 Ja. Acosta: Madam Chair, I make a motion.

26
27 Thurston: I second.

28
29 McCaslin: Thank you. All those in favor?

30
31 MOTION PASSES UNANIMOUSLY.

32
33 McCaslin: And we are adjourned. Thank you, everyone.

34
35
36
37
38
39 _____
Chairperson



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ N/A			
Adopted:	June 23, 2026			
Drafter:	John Castillo	Department:	Community Development	
Program:	Community Planning	Line of Business:	Community Planning	
Title:	A REQUEST FOR APPROVAL TO ALLOW THE LAND USE OF AUTO SALES AND/OR RENTALS, FOR A PROPERTY ZONED C-2 (GENERAL COMMERCIAL DISTRICT), AND LOCATED WITIN THE SOUTH MESQUITE OVERLAY DISTRICT. THE SUBJECT PROPERTIES ENCOMPASS APPROXIMATELY 0.50 ACRES IN SIZE AND ARE LOCATED AT 801 E. AMADOR AVENUE AND 343 S. ESPERANZA STREET. SUBMITTED BY GABRIEL GAMBOA, PROPERTY OWNER. (26ZO1000018)			

PURPOSE(S) OF ACTION:

Allow an additional land use.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

2025 Development Code.

PURPOSE:

The applicant is seeking to allow the additional land use of auto sales and/or rentals for two properties located at 801 E. Amador Avenue and 343 S. Esperanza Street. Pursuant to Section 36-2.D.4.i.v, the South Mesquite Overlay District (SMO), an additional land use for a specific parcel that is not already noted within the permitted use list within the SMO may be granted by the Planning and Zoning Commission. Such request will be considered on a case-by-case basis and shall be deemed compatible with neighboring land uses and shall satisfy the purposes of the SMO. The Historic Preservation Committee (HPC) shall be a recommending body to the Planning and Zoning Commission. Final action on this additional land use request shall be made by the Planning and Zoning Commission unless appealed to the City Council.

LAND USE HISTORY:

The subject properties are located on the edge of the SMO boundary. The properties were created through the Lohman La Point subdivision filed in 1902. The properties are developed with a commercial building that was built in 1940s and a commercial parking lot. The properties are within the Mesquite Historic District. In May of 2005 the subject properties and surrounding area established the South Mesquite Overlay Zone through the adoption of Ordinance No. 2200. This legacy district was designed to positively address development issues unique to the Las Cruces Original Townsite and surrounding area through the adopted Mesquite Neighborhood Plan and the Mesquite Historic District Neighborhood Design Plan.

PROJECT DESCRIPTION:

The applicant is seeking to utilize the subject properties to reestablish an auto dealership in the area. The subject properties are located within the SMO with a zoning designation of C-2 (General Commercial District).

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Per the SMO, auto sales and/or rentals is a prohibited use, however, under Section 36-2.D.4.i.v the applicant can request an additional land use for a specific parcel(s).

The applicant is requesting to add the proposed land use on the subject properties. In 1977 the site began its operation as an auto dealership, known as Casa De Autos, which has been continually in operation for decades. The business relocated across the street to 715 E Amador Avenue, where it had been in operation until the property was sold to Families and Youth, Inc (FYI) in 2025.

SITE SUITABILITY:

Based on the development standards of the South Mesquite Overlay District, the subject properties and existing buildings meet the required development standards for a commercial use. The applicant has provided a site plan showing all existing improvements of the properties, see Attachment "C".

ACCESS/TRAFFIC:

The property is located on a principal arterial thoroughfare, Amador Avenue, as identified in the Elevate Las Cruces Future Thoroughfare Map and the Mesilla Valley Metropolitan Planning Organization Future Thoroughfare Plan. The subject properties current primary access is from Esperanza Street, a local roadway. Both streets are fully improved with asphalt, curb, gutter, sidewalk, and streetlights. The existing access is sufficient for the proposed use.

MESQUITE HISTORIC DISTRICT NEIGHBORHOOD PLAN AND DESIGN PLAN:

The Mesquite neighborhood is comprised of buildings that have been constructed primarily in a Mexican/Spanish traditional style; however, other architectural styles can be found such as, Pueblo, Territorial, and New Mexico Vernacular. The SMO is primarily interested in preserving the historic flavor of the neighborhood while addressing land use concerns.

The Mesquite Neighborhood Plan was adopted on May 23, 2005, through Resolution No. 05-346. The intent of the neighborhood plan is to create policy that will preserve the character and integrity of the "Mesquite Street-Original Townsite Historic District" and surrounding area. The Mesquite Historic District Neighborhood Design Plan was adopted on July 23, 2007, through Resolution No. 08-032. The intent of the Mesquite Historic District Neighborhood Design Plan is to provide a guide for future decisions as they relate to zoning, land use, urban design, transportation, and enforcement of related standards for the area addressing concerns in the South Mesquite Overlay.

The request for the additional land use is consistent with the commercial areas that have been identified in the Mesquite Neighborhood District Design Plan and the Amador Avenue corridor area.

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located within the Urban Neighborhood Place Type and adjacent to a Mixed-Use Corridor as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. The Urban Neighborhood Place Type is defined by a variety residential housing types at a medium to high density and areas of supporting neighborhood retail and office uses. Being adjacent to the Mixed-Use Corridor, it is also supported by a mix of residential and non-residential land uses along roadway or trail corridors. The comprehensive plan has numerous goals, policies and actions that support the proposed additional land use, as referenced in Attachment "D".

FLOOD PLAIN:

The property is not located within the flood zone.

HISTORIC PRESERVATION COMMISSION:

In August of 2020, City Council approved Ordinance No. 2938, which transferred the review responsibilities of the South Mesquite Design Review Board to the Historic Preservation Committee (HPC). In February of 2025 under Ordinance No. 3102, Under Section 36-2.D.4.i.v of the 2025 Land Development Code, the Code requires a recommendation from the HPC to the Planning and Zoning Commission (P&Z) for a request of an additional land use on a property.

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On May 20, 2026, the HPC met during a public hearing to review and make a recommendation on the request to add the land use based on compatibility with the neighborhood and to satisfy the purpose of the SMO. The HPC voted to recommend Approval for the request of adding the land use car sales and/or rental by a vote of 5-0-0 (one Commissioner absent and one vacant seat) for both properties at 801 E. Amador Avenue and 343 S. Esperanza Street.

STAFF RECOMMENDATION:

After review by all relevant city departments, staff saw no impacts to health, safety and welfare with the request for the additional land use. Staff recommends approval with conditions for the request of an additional land use based on the finding outlined in Attachment "E." The conditions are as follows:

- 1.The business will need to go through the minor platting process to vacate a property line creating a single lot before the issuance of a business registration.
- 2.The business will be required to bring the property into compliance with the 2025 Development Code, as amended and all companion development and building codes.

ANALYSIS/CONCLUSION:

The proposed additional land use request meets the intent of the Mesquite Historic District Neighborhood Plan and Design Plan, as well as the Elevate Las Cruces Comprehensive Plan. No health, safety, or welfare issues were identified by staff by allowing the proposed land use. The proposed land use is consistent with land uses found in the surrounding area and along the Amador Avenue corridor.

NOTICE:

In accordance with the 2025 Land Development Code, the Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. Notification was sent prior to the HPC meeting in May 2026; staff received no responses. At the time this staff report was drafted, all comments and concerns will be discussed during the presentation regarding the proposed request.

SUPPORT INFORMATION:

[ATTACHMENT A - Zoning Map](#)

[ATTACHMENT B - Aerial Map](#)

[ATTACHMENT C - Site Plan](#)

[ATTACHMENT D - Elevate Las Cruces Comprehensive Plan](#)

[ATTACHMENT E - Staff Findings](#)

[ATTACHMENT F - HPC Staff Report](#)

[ATTACHMENT G - 05.20.26 HPC Minutes](#)

PLAN(S):

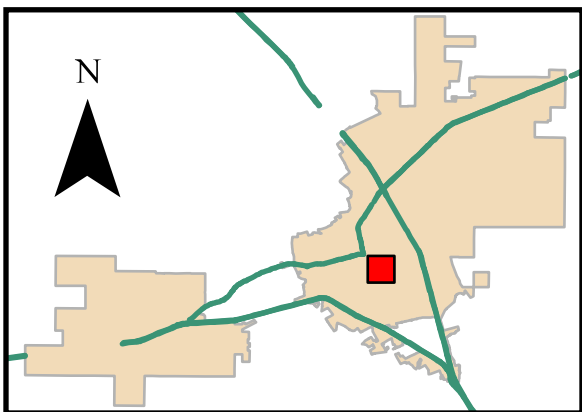
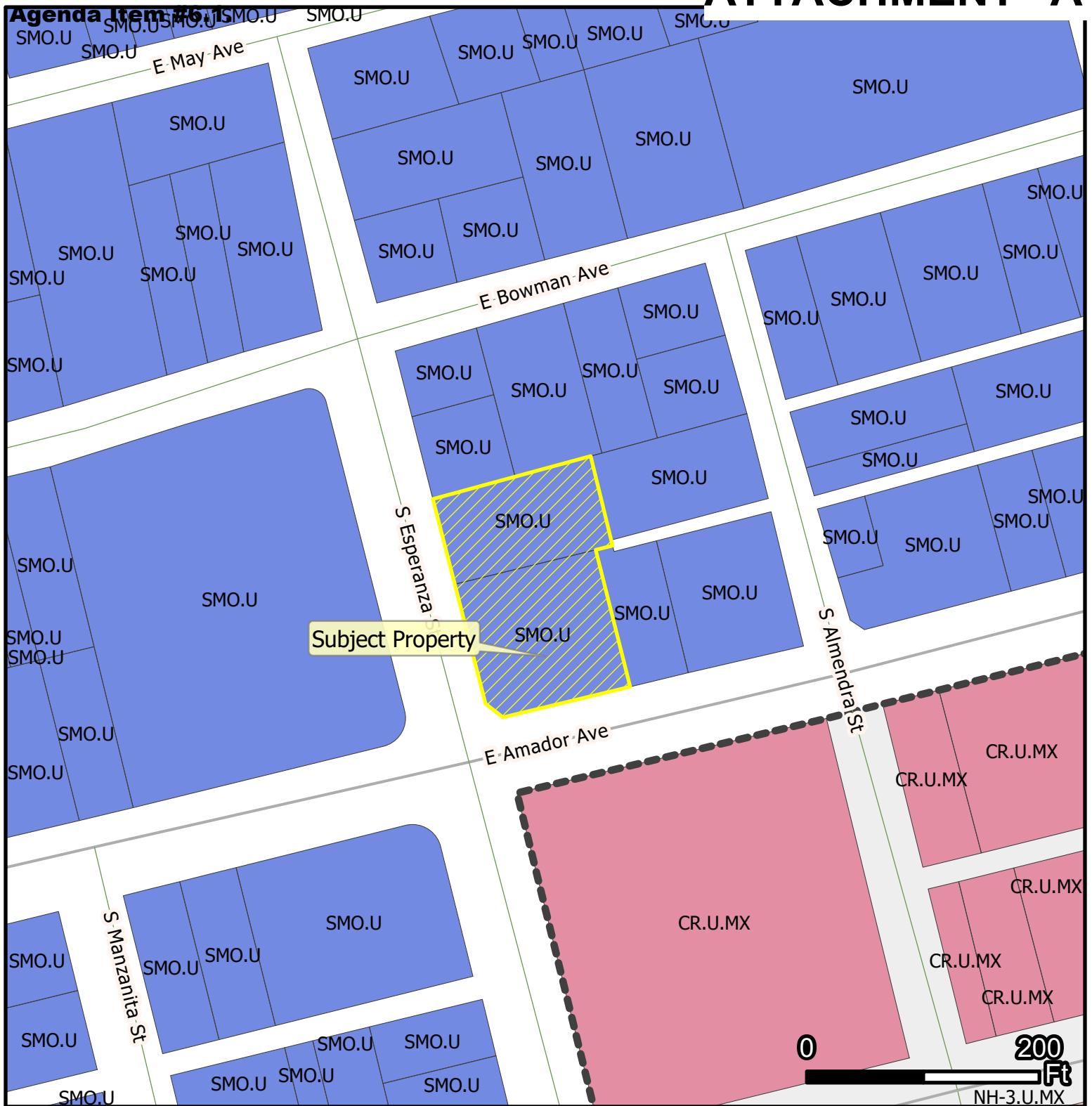
Other, Elevate Las Cruces

COMMITTEE/BOARD REVIEW:

Historic Preservation

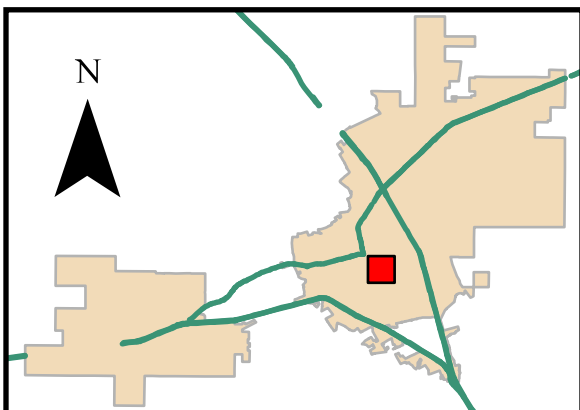
OPTIONS / ALTERNATIVES:

1. Vote "Yes" this will approve the additional land use of auto sales and/or rental and allow for the re-establishment of the existing business.
2. Vote "No" this will deny the additional land use of auto sales and/or rental, and the proposed land use will not be permitted.
3. Vote to "Amend" this could modify and add additional conditions to the request for an additional land use and would require further direction from the Commission to staff.
4. Vote to "Table" this will postpone consideration of the request for an additional land use and would need further direction from the Commission.



Casa De Autos Zoning Map

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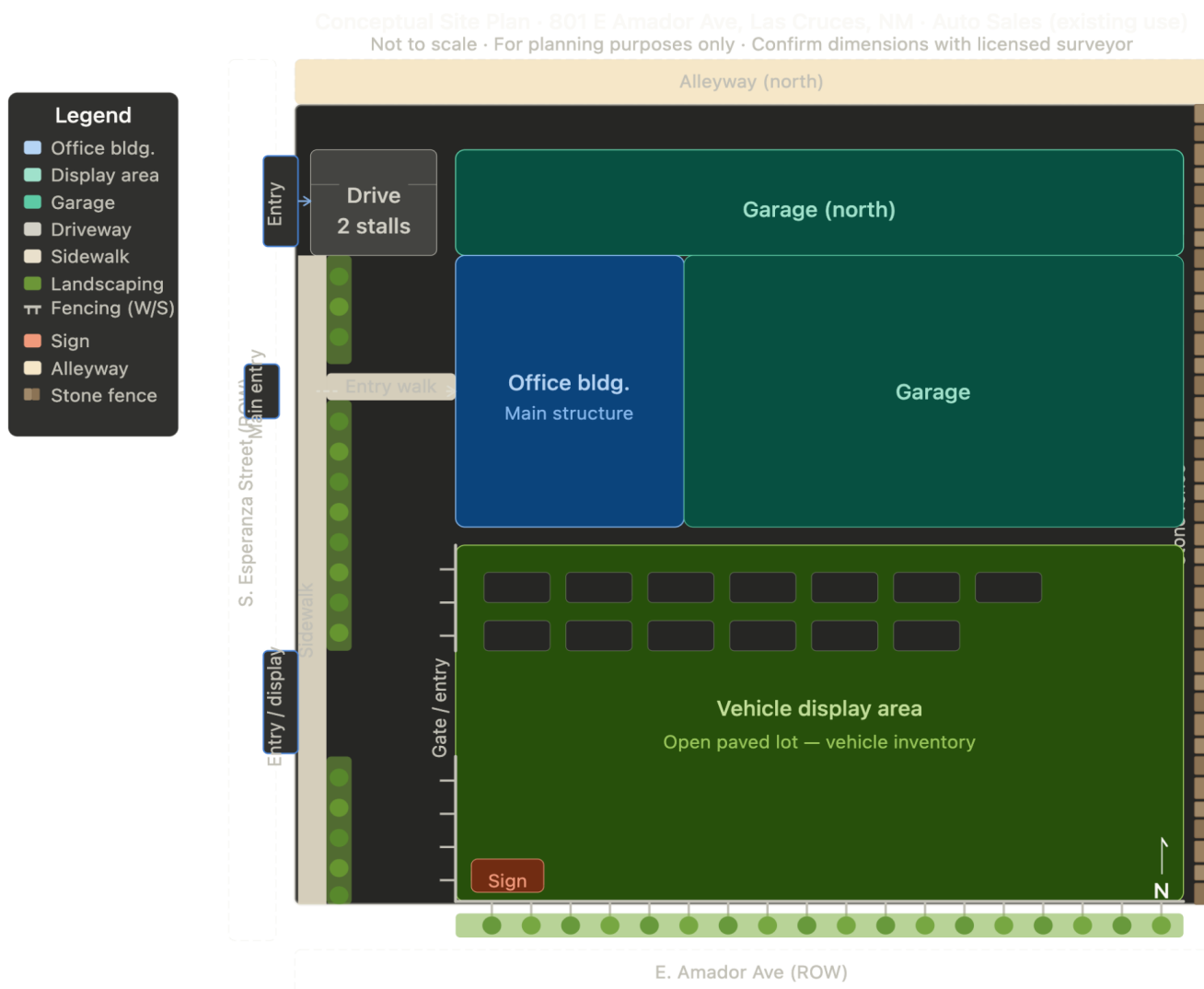


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Total acreage: 21,550 square feet

Land use: Automobile Sales

No site improvements planned / No easements of record



343 S. Esperanza

Parcel Number 4-007-135-476-240

Legal Summary Subd: LOHMAN LA POINT 107 Lot: 5 S: 18 T: 23S R: 2E

INSTRUMENT #2510709

9425.000

801 E Amador

Parcel Number 4-007-135-477-248

Legal Summary Subd: LOHMAN LA POINT 107 Lot: LT 3 4 Block: 115 S: 18 T: 23S R: 2E **INSTRUMENT** #2510709

Square Footage: 12125.000



➤ **Community Prosperity:**

- Goal CP-2: Economic Equity – Generate employment opportunities that create economic security for all residents.
 - Policy CP-2.2 – Support efforts to connect vulnerable populations to job opportunities.
- Goal CP-3: Entrepreneurship – Create a nurturing regulatory environment that generates entrepreneurship and small business investment.
- Goal CP-4: Diversification – Seek a balance of business recruitment, retention, and expansion to diversify economic opportunities.
 - Policy CP-4 – Support efforts to be regionally and nationally competitive in regard to retaining and growing businesses, jobs, and students.

➤ **Community Environment:**

- Goal CE-1: Balanced Growth – Encourage efficient land use development patterns that accommodate projected growth in a sustainable manner.
 - Policy CE-1.1: Create consistency between the Elevate Las Cruces Future Development Program recommendations and development regulations.
 - Action CE-1.1.5: Consider the appropriateness of future development proposals with place type designations and their relationship with surrounding land uses.
 - Policy CE-1.2: Promote investment within older areas of the city through redevelopment.
- Goal CE-3: Centers and Corridors – Support community growth through concentrated development at activity centers and along key corridors.
 -
- Goal CE-4: Complete Neighborhoods – Develop mixed-use neighborhoods that incorporate a wide range of recreational, commercial, employment and civic uses.
 - Policy CE-4.2 – Incorporate employment and shopping nodes into new and redeveloping neighborhoods to provide residents with convenient access to services.

ATTACHMENT “E”

FINDINGS

1. The subject parcels are currently within the South Mesquite Overlay Zone legacy district within an underlying zoning designation of C-2 (Commercial Medium Intensity) and surrounded by several other parcels with the same zoning designation.
2. It is located within the commercial corridor as identified in the Mesquite Historic District Neighborhood Plan.
3. Allowing the additional land use of auto sales and/or rental is consistent with other properties along the identified mixed-use corridor and along Amador Ave/Lohman Ave as it is identified as a major thoroughfare.
4. The request for an additional land use promotes investment within older areas of the city through redevelopment.
5. Staff recommendation is in concert with Elevate Las Cruces Comprehensive Plan.

Historic Preservation Committee

Case # 26ZO1000018

For Meeting of May 20, 2026

Please check box that applies to this item:

☒ QUASI JUDICIAL ☐ LEGISLATIVE ☐ ADMINISTRATIVE

TITLE: A REQUEST FOR APPROVAL TO ALLOW THE LAND USE OF AUTO SALES AND/OR RENTALS, FOR PROPERTY ZONED C-2 (GENERAL COMMERCIAL DISTRICT) ZONING DISTRICT, AND LOCATED WITHIN THE SOUTH MESQUITE OVERLAY DISTRICT. THE SUBJECT PROPERTIES ENCOMPASS APPROXIMATELY 0.50 ACRES IN SIZE AND ARE LOCATED AT 801 E. AMADOR AVENUE AND 343 S. ESPERANZA STREET. SUBMITTED BY GABRIEL GAMBOA, PROPERTY OWNER.

PURPOSE(S) OF ACTION:

Allow an additional land use on the subject properties.

COUNCIL DISTRICT: 1		
<u>Drafter/Staff Contact:</u> John Castillo	<u>Department/Section:</u> Community Development	<u>Phone:</u>
<u>Line of Business and Program:</u> Community Planning		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

2025 Development Code.

PURPOSE:

Pursuant to Section 36-2.D.4.i.v, it is possible to request an additional land use for a specific parcel that is not already noted within the permitted use list within the South Mesquite Overlay (SMO). Each request will be considered on a case-by-case basis and shall be deemed compatible with neighboring land uses and shall satisfy the purposes of the SMO. The Historic Preservation Committee (HPC) shall be a recommending body to the Planning and Zoning Commission. Final action on this additional land use request shall be made by the Planning and Zoning Commission unless appealed to the City Council. The applicant is seeking to allow the additional land use of auto sales and/or rentals on the subject properties.

LAND USE HISTORY:

The subject properties are located on the edge of the SMO boundary. The properties were created through the Lohman La Point subdivision filed in 1902. The properties are developed with a commercial building that was built in 1940s and a commercial parking lot. The properties are within the Mesquite Historic District. In May of 2005 the subject properties and surrounding area established the South Mesquite Overlay Zone through the adoption of Ordinance No. 2200. This legacy district was designed to positively address issues unique to the Las Cruces Original Townsite and surrounding area through the adopted Mesquite Neighborhood Plan and the Mesquite Historic District Neighborhood Design Plan.

PROJECT DESCRIPTION:

The applicant is seeking to utilize the subject properties to reestablish an auto dealership in the area. The subject properties are located within the SMO Legacy District with a zoning designation of C-2 (General Commercial District). Per the SMO Legacy District, auto sales and/or rentals is a prohibited use, however, under Section 36-2.D.4.i.v the applicant can request an additional land use for a specific parcel(s).

The applicant is requesting to add the proposed land use on the subject properties. In 1977 the site began its operation as an auto dealership, known as Casa De Autos, which has been continually in operation for decades at the subject property. In 2007, the business relocated across the street to 715 E Amador Avenue, where it had been in operation until the property was sold to Families and Youth, Inc (FYI) in 2025.

SITE SUITABILITY:

Based on the development standards of the South Mesquite Overlay District, the subject properties and existing buildings meet the required development standards. The applicant has provided a site plan showing all existing improvements of the properties, see Attachment "B".

ACCESS/TRAFFIC:

The property is located on a principal arterial thoroughfare, Amador Avenue, as identified in the Elevate Las Cruces Future Thoroughfare Map and the Mesilla Valley Metropolitan Planning Organization Future Thoroughfare Plan. The subject properties current primary access is from Esperanza Street, a local roadway. Both streets are fully improved with asphalt, curb, gutter, sidewalk, and streetlights.

MESQUITE HISTORIC DISTRICT NEIGHBORHOOD PLAN AND DESIGN PLAN

The Mesquite neighborhood is comprised of buildings that have been constructed primarily in a Mexican/Spanish traditional style; however, other architectural styles can be found such as, Pueblo, Territorial, and New Mexico Vernacular. The neighborhood was divided into two neighborhoods North Mesquite and South Mesquite and a neighborhood plan, and the overlay zones were created. The South Mesquite was primarily interested in preserving the historic flavor of the neighborhood while addressing land use concerns. While North Mesquite had less interest in a historic component and were more concerned with land use and zoning issues.

The Mesquite Neighborhood Plan was adopted on May 23, 2005, through Resolution No. 05-346. The intent of the neighborhood plan is to create policy that will preserve the character and integrity of the "Mesquite Street-Original Townsite Historic District" and surrounding area. The Mesquite Historic District Neighborhood Design Plan was adopted on July 23, 2007, through Resolution No. 08-032. The intent of the Mesquite Historic District Neighborhood Design Plan is to provide a guide for future decisions as they relate to zoning, land use, urban design, transportation, and enforcement of related standards for the area addressing concerns in the South Mesquite Overlay.

The additional land use request is for properties on the edge of the South Mesquite Overlay.

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located within the Urban Neighborhood Place Type and adjacent to a Mixed-Use Corridor as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. The Urban Neighborhood Place Type is defined by a variety residential housing types at a medium to high density and areas of supporting neighborhood retail and office uses. Being adjacent to the Mixed-Use Corridor, it is also supported by a mix of residential and non-residential land uses along roadway or trail corridors. The comprehensive plan has numerous goals, policies and actions that support the proposed additional land use, as referenced in Attachment "C".

FLOOD PLAIN:

The property is not located within the flood zone.

STAFF RECOMMENDATION:

The proposed request for the inclusion of the land use of auto sales and/or rentals was routed out to all reviewing departments, and all departments saw no issue with the proposal. Staff recommends approval with conditions for the request of an additional land use based on the finding outlined in Attachment "E." The conditions are as follows:

1. The business will need to go through the minor platting process to vacate a property line to have the property as a single lot before the issuance of a Business Registration License.
2. The business will be required to bring the property into compliance with the 2025 Land Development Code, as amended and all companion codes.

ANALYSIS/CONCLUSION:

The proposed additional land use request meets the intent of the Mesquite Historic District Neighborhood Plan and Design Plan, as well as the Elevate Las Cruces Comprehensive Plan. In general terms, auto sales and/or rentals, is a land use that is not permitted by right but maybe approved upon consideration of potential impacts to the surrounding area by the Historic Preservation Committee with final action by the Planning and Zoning Commission. Impact considerations may include factors related to traffic and development compatibility. In terms of the proposed use, the business once functioned on the site and the applicant is wishing to reestablish the use on the subject properties, to serve the community surrounding neighborhood.

NOTICE:

In accordance with the 2025 Land Development Code, the Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. All comments and concerns will be discussed during the presentation regarding the proposed request.

SUPPORT INFORMATION:

1. Attachment "A" Aerial Map
2. Attachment "B", Request Letter
3. Attachment "C", Site Plan
4. Attachment "D", Elevate Las Cruces Comprehensive Plan
5. Attachment "E", Staff Findings

OPTIONS / ALTERNATIVES:

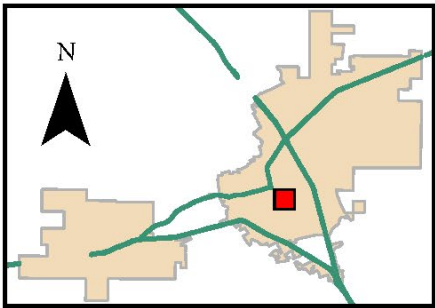
1. Vote "Yes"; this will approve the additional land use of auto sales and/or rental and allow for the re-establishment of the existing business.
2. Vote "No"; this will not approve the additional land use of auto sales and/or rental, and the proposed auto dealership will not be permitted.
3. Vote to "Amend"; this could modify the request for an additional land use and would need further direction from the Commission to staff.
4. Vote to "Table"; this will postpone consideration of the request for an additional land use and would need further direction from the Commission.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. Resolution No. 05-346 (Mesquite Neighborhood Plan)
2. Resolution No. 08-323 (Mesquite Historic District Neighborhood Design Plan)
3. Ordinance No. 2200 (South Mesquite Overlay Zone)

ATTACHMENT “A” AERIAL MAP



5/12/2026

ATTACHMENT “B”

LETTER OF INTENT

April 30, 2026

City of Las Cruces
Permitting Division

To Whom It May Concern:

We are seeking a special use permit for “Casa de Autos, Inc” located at 801 E. Amador and 343 S. Esperanza Street. The lot where cars are located is at the parcel 801 E. Amador and the office building is located at the parcel located at 343 S. Esperanza Street. They are and have always been connected. We have and continue to pay property taxes on both parcels of property.

- a) **Statement of purpose and use of the property:** When originally founded in 1977, CDA operated out of 801 E. Amador/343 S. Esperanza Street. Given our success and service to the community, in 2007, we further invested into our community and built a new building at 715 E. Amador, immediately across Esperanza Street. In that time, we were one of the most successful car dealerships in the city, selling vehicles that helped to facilitate access to education, employment and full livelihood for thousands of Las Cruceans. During that period we maintained all proper city and state business operating licenses. In 2025, due to the illness of the owner, Danny Gamboa, we sold 715 E. Amador, to Families and Youth, Inc. another critical resource to the community. As part of that sale, we moved CDA back to the 801 E. Amador location to continue its business operations. We will continue to operate focused on used vehicle sales.
- b) **All property improvements to be made:** Given we are simply moving back to our original unit, where the business began, no improvements need to be made.
- c) **Development schedule for improvements to be made:** see answer above, no intended improvements to be made.

In the course of renewing our state business operating license this year, we had to provide a new business licence with the City of Las Cruces. In that process, we discovered the zoning had since changed and our license was denied. We are seeking a Special Use Permit to remedy this because:

- 1) We continue to operate as a critical resource to the community and have been an upstanding part of the community since 1977 in the same part of town. Historic preservation of our longstanding business, is historic preservation of the Mesquite Historic District. It feels contrary for a business, as long as we have been part of the community to be denied the ability to continue operation.
- 2) There has not been a change in the nature of the business or even the location. We are moving into the same building where our original operations began. Even though our licence lapsed at the 801 E Amador location we stayed current in the location of 715 E

Amador until we moved back. We are not a new entrant in the neighborhood, quite the opposite, we simply move back across the street.

- 3) At the corner of Amador and Esperanza, 801 E. Amador is at the southernmost perimeter of the Mesquite Historic district. It borders other properties to the Mesquite Historic District overlay. As a matter of fact, there is a similar car dealership just one block away.

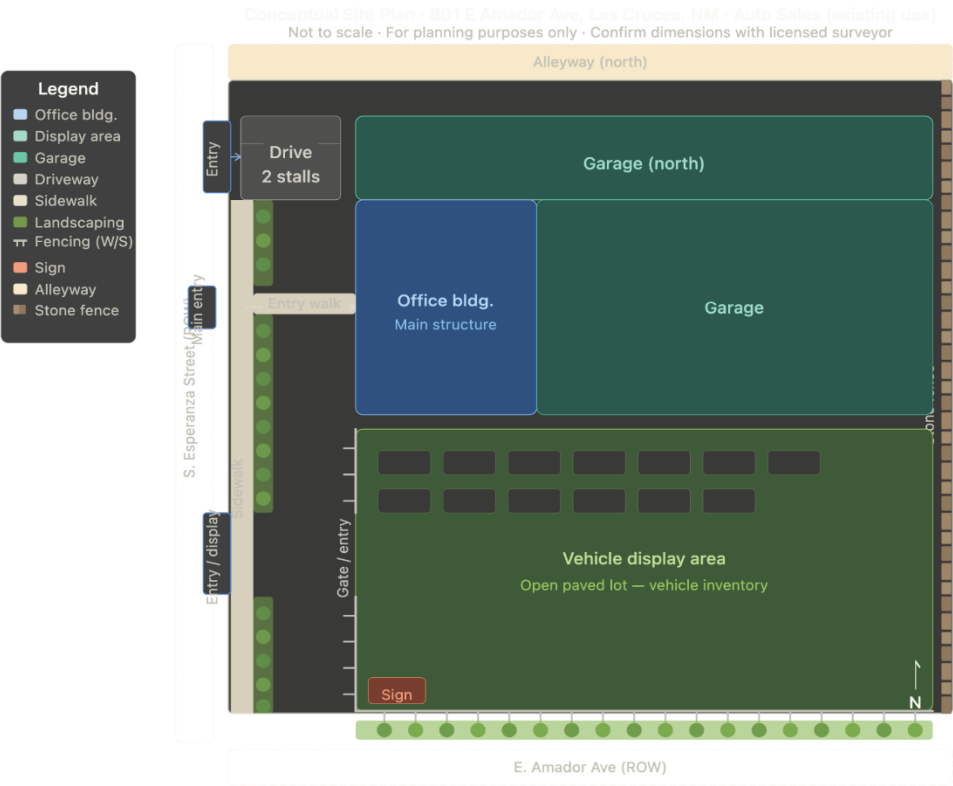
We hope that through this approval process

Sincerely,

Gabriel J. Gamboa
Casa de Autos
575-650-7353
gabe_gamboa_mma@yahoo.com

ATTACHMENT “C” SITE PLAN

Total acreage: 21,550 square feet
Land use: Automobile Sales
No site improvements planned / No easements of record



343 S. Esperanza
Parcel Number 4-007-135-476-240
Legal Summary Subd: LOHMAN LA POINT 107 Lot: 5 S: 18 T: 23S R: 2E
INSTRUMENT #2510709
9425.000

801 E Amador
Parcel Number 4-007-135-477-248
Legal Summary Subd: LOHMAN LA POINT 107 Lot: LT 3 4 Block: 115 S: 18 T: 23S R: 2E INSTRUMENT
#2510709
Square Footage: 12125.000

ATTACHMENT “D”

ELEVATE LAS CRUCES

➤ **Community Prosperity:**

- Goal CP-2: Economic Equity – Generate employment opportunities that create economic security for all residents.
 - Policy CP-2.2 – Support efforts to connect vulnerable populations to job opportunities.
- Goal CP-3: Entrepreneurship – Create a nurturing regulatory environment that generates entrepreneurship and small business investment.
- Goal CP-4: Diversification – Seek a balance of business recruitment, retention, and expansion to diversify economic opportunities.
 - Policy CP-4 – Support efforts to be regionally and nationally competitive in regard to retaining and growing businesses, jobs, and students.

➤ **Community Environment:**

- Goal CE-1: Balanced Growth – Encourage efficient land use development patterns that accommodate projected growth in a sustainable manner.
 - Policy CE-1.1: Create consistency between the Elevate Las Cruces Future Development Program recommendations and development regulations.
 - Action CE-1.1.5: Consider the appropriateness of future development proposals with place type designations and their relationship with surrounding land uses.
 - Policy CE-1.2: Promote investment within older areas of the city through redevelopment.
- Goal CE-3: Centers and Corridors – Support community growth through concentrated development at activity centers and along key corridors.
- Goal CE-4: Complete Neighborhoods – Develop mixed-use neighborhoods that incorporate a wide range of recreational, commercial, employment and civic uses.
 - Policy CE-4.2 – Incorporate employment and shopping nodes into new and redeveloping neighborhoods to provide residents with convenient access to services.

ATTACHMENT “E” STAFF FINDINGS

1. The subject parcels are currently within the South Mesquite Overlay Zone legacy district within an underlying zoning designation of C-2 (Commercial Medium Intensity) and surrounded by several other parcels with the same zoning designation.
2. It is located within the commercial corridor as identified in the Mesquite Historic District Neighborhood Plan.
3. Allowing the additional land use of auto sales and/or rental is consistent with other properties along the identified mixed-use corridor and along Amador Ave/Lohman Ave as it is identified as a major thoroughfare.
4. The request for an additional land use promotes investment within older areas of the city through redevelopment.
5. Staff recommendation is in concert with Elevate Las Cruces Comprehensive Plan.



CITY OF LAS CRUCES

HISTORIC PRESERVATION COMMITTEE

May 20, 2026, at 6:00 p.m.

The following are minutes of the Historic Preservation Committee Meeting held February 18, 2026, at Council Chambers, City Hall, 700 N. Main Street, Las Cruces, New Mexico.

MEMBERS PRESENT: Norma Chairez-Hartell, Vice-Chair
Ernie Campos
Jeffrey Shepherd, PhD
Fernando Baeza
Rosanna Torrez

MEMBERS ABSENT: Dr. Jerry Wallace, Chair

STAFF PRESENT: Caitlin Beesley, Historic Preservation Specialist
Henry Becker, Deputy City Attorney
Romulo Valdez, Assistant City Attorney
Orlando Granado, Public Works Project Manager
John Castillo, Urban Planner

OTHERS PRESENT:

David Lundy	Fyle McGronger	Topher Lingeer	Gabriel Gamboa
Stephanie Villnueva	Paul Deason	David Lundy	Marcie Chavez
Ana Flores	Ana Chavez-Villa	Tory Woods	James Woods
Teresa Armendarez	Rose Garcia	Faith Hudson	John Verploegh
Alma Hutson	Bobbie Hutson	Xan Muza	David Zuity
Patricia Vigil	Guadalupe Vigil	Greg Shervanick	Tanner Gaskey
Phobe Gaskey	Sara Thomas	Ruth Gallardo	Tasia Chavez-Villa
Chris Hinojosa	Denali Wilson		

1. CALL TO ORDER

Vice-Chair Chairez-Hartell called the meeting to order at 6:02.

2. CONFLICT OF INTEREST INQUIRY

There was no conflict of interest.

3. PUBLIC PARTICIPATION

There were none.

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4. APPROVAL OF AGENDA

4.1 Approval of April 18, 2026, HPC Minutes

Motion to approve by Ernie Campos; seconded by Jeff Shepherd. Motion passed unanimously.

5. DESIGN REVIEW AND CASE RECOMMENDATIONS

5.1 Certificate of Appropriateness certification for WIA restoration project, located at 340 N. Raymond Street in the Alameda Depot Historic District

Caitlin Beesley stated this is a design review project for a city owned building. Building was built in 1927 funded by Women's Improvement Association. It was originally a clubhouse and a mail-order library for the public. The city has had meetings with the public and neighborhood association regarding the building's restoration/preservation project. This project recently received \$900,000 in capital outlay from the state. It is a contributing property to the Alameda Depot Historic District in the state and national registers. The landscaping will include new trees, native plants, and the fountain from 1968 will remain and fixed. Full window restoration. Some wood on the exterior will be replaced in-kind. Stucco will be patched and redone. It has been decided to keep the pueblo revival informed design. SHPO recommended not listing this building individually because it is already listed as part of the historic district. Removing the ramp from the front to the rear would only serve to list the building individually and it is not necessary. Architect firm is Desert Peak Architects and they are working on the redesigning the ramp. The back entrance to the building cannot accommodate the ramp. The ramp on the front of the building does not put the building's designation at risk. The compliance coordinator with accessibility mentioned the ramp itself is within compliance. And what brings it out of compliance is the handrails on the ramp itself instead of on the support structure for the ramp. Recommend a ramp be put in place where it is either wide enough that it accommodates the handrail or grab bars are put on the current ramp for more maneuverability. The National Park Service produces preservation briefs for the maintenance and preservation of historic buildings. Making historic properties accessible have various choices, ramps, lift, landscaping. The ramp was placed 2003-2004, also the bathrooms were updated and accessible, and expanded the kitchenette.

Board Member Ernie Campos mentioned that the ramp works and it seems find it its current location. Vice-Chair Chairez-Hartell stated why fix it if we do not need to.

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Greg Shervanick stated he attended all the meetings concerning this building. His concern is that Parks and Recreation is involved. And if this is a strategy to mend Pioneer Park with prior proposed concepts. Also was there anything learned about the Armijo House. He mentioned that the WIA building is below grade and now adding a bunch of plant life. Believes the board should take its time before it votes to accept anything.

John Verploegh agrees with the previous comment about the building being below grade. He stated water pools up next to the building. He thinks there are structural issues with the portal, the way it is anchored, and hopes this is addressed in this project.

All mentioned issues will be brought forward.

Motion to approve by Rosanna Torez; seconded by Ernie Campos. Motion passed unanimously.

5.2 No. 26ZO1000018 - case recommendation to Planning and Zoning Commission allowing additional land use for auto sales or rental use of a property located at 801 E. Amador Avenue, zoned C-2 (Commercial Medium Intensity).

John Castillo stated there is additional land use at 343 S. Esperanza/801 E. Amador Avenue. The property is within the South Mesquite Overlay Zone Legacy District. It does have a sub-zoning designation of C-2 which is the Commercial Medium Intensity zoning district, which usually allows for medium intensity type development such as offices, businesses, small scale businesses, or local businesses. It is located at the northwest intersection of Amador Avenue and Esperanza Street. It is a developed property with a vacant building and parking lot. It is approximately half an acre in size. It began as an auto dealership in 1977 and has been in continual operation for over 30 years. The business relocated to 715 E. Amador Avenue which is across the street and continued to operate at that location until 2025 when the property was sold. The property has been nonconforming use since the adoption of the South Mesquite Overlay Zone in 2005. Applicant is seeking to continue the original business that stated on the property and continue to provide for the community. Under code Section 36-2.D4 IV under South Mesquite Overlay Zone Legacy District an applicant can request an additional land use for a specific parcel that is not already noted within the permitted use. They want to include for land use, auto sales and/or rental in the C-2 Zoning District within the South Mesquite Overlay Zone. All relevant agencies and departments supported the proposed additional land use. And notice was sent to properties within 500 feet. There were no phone calls or e-mails regarding the additional land use. There are no health, safety, or welfare issues identified. The proposal is not out of line due to history of use. Amador Avenue is a principle arterial.

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Staff recommends approval with conditions. The recommendation is in concert with Elevate Las Cruces Comprehensive Plan. Conditions are that the business will be required to bring the property into compliance with the 2025 Land Development Code, and all companion codes. The business will also need to through the minor platting process to vacate a property line to become one lot instead of two separate lots. Staff felt the special use process was the appropriate process for this as this is not a zone change, variance, or waiver.

Gabriel Gaboa of Casa de Autos gave some history of the business. And he just wants to continue doing business as he has since 1977.

Motion to approve by Jeff Shepherd; seconded by Ernie Campos. Motion passed unanimously.

5.3 City of Las Cruces Register of Cultural Properties case recommendations to City Council

Caitlin Beesley stated that a register is an official list or database of properties that have been evaluated as worthy of preservation or designation for their historic or architectural significance. We have a national register, we have the state register of cultural properties, and then we have our local register which was established when we became a certified local government in 2021. A historic register assists people who administrate preservation objectives at the municipal level, or federal level, or state level. Also boosts recognition of individual properties. Increases public awareness of preservation. Affords various protections against improper alteration or demolition. It reinforces local ordinances. Encourages designation through economic or other incentives. What can be listed are buildings, structures, sites, objects, or districts. The property has to be identified as significant through various methods using different criteria, which include significant events, significant persons, distinct style or the work of an architectural master, or potential for new information general archeological sites. The city register has a few additional criteria, however owner consent is required for the city register as well as state and national registers. Nominations can be produced by property owners with assistance from staff or local register subcommittee. This process is being condensed into an annual. Designation at the national and state level it means identifying buildings that are worthy of preservation. Designation at the local level there is more protection that is involved as fall under local ordinances, including plan or design review for alterations done to the buildings, or review in advance of demolition permits. Public information is available on these buildings.

Tonight is the designation process. A nomination draft is produced. Public HPC meeting for discussion of the property nomination is established. The

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1 final step is City Council's action which requires resolution, granting or
2 denying property designation with a simple majority.

3 4 **No. CPD2026-001 - Rio Grande Theatre**

5
6 This building turns 100 this year. Designed by Otto Thorman of Thorman
7 and Frazier, El Paso architecture firm. Designed in Italian renaissance
8 revival style. It is abode. There was a preservation project undertaken by
9 the Doña Ana Arts Council between 1998 - 2007. The nomination was
10 produced by City of Las Cruces Community Development Co-op Jordan
11 Gladson. The restoration work returned the building to its former glory for
12 functional use and as a landmark for the community. Glenn Schwaiger
13 helped with the tile work. Staff is recommending that this be nominated and
14 elevated to the local register. It is already in the national and state registers.

15
16 Israel Chavez thinks this is great and glad to see the city doing things for
17 historic preservation. None of this comes with any help to any of the private
18 owners of any of the properties. He commented that the city invests heavily
19 in the Alameda District which historically was the segregated part of town
20 (white). And the city continues to lack the investments required for the
21 brown and black neighborhood of Mesquite Street. He is fine with largely
22 symbolic designations. The city has failed to apply for any grants which are
23 only available to CLG entities and not individuals. He stated the reason
24 two-story adobes are rare is because the city tears them all down. The city
25 needs to apply for money to continue to save properties. There are
26 buildings east of the Main Street that need restoration/improvement. Board
27 Member Ernie Campos mentioned a workshop to discuss and save some
28 of those buildings.

29
30 Motion to approve by Rosanna Torrez; seconded by Ernie Campos. Motion
31 passed unanimously.

32 33 **No. CPD2026-002 - Branigan Cultural Center**

34
35 Kenneth Podhajecki, CLC Co-Op, stated the building was built in 1935.
36 Designed by Percy McGhee, Jr. who also designed the Doña Ana County
37 Courthouse. This was the first dedicated library in Las Cruces. The only
38 privately funded library constructed in New Mexico during the great
39 depression, all other libraries were publicly funded. First municipal run
40 museum in 1979, transferred from a library to a cultural center. It is
41 nominated for its significance to local history, and for being distinctive
42 architecture, pueblo revival style, and also work of a master architect.
43 Restoration was done in 2022-2023 of the vigas and portals, and stained
44 glass window on the east side of the building. Staff recommendation is
45 approval.

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1 Motion to approve by Ernie Campos; seconded by Jeff Shepherd. Motion
2 passed unanimously.

3 4 **No. CPD2026-003 - Railroad Depot**

5
6 Caitlin Beesley stated this was built in 1910. It is the second railroad depot
7 in Las Cruces. It is in Spanish Mission revival. Some of the elements of
8 the specific building were likely informed by the location. Used as a
9 passenger depot until 1960s. It was purchased by the city in 1992 and
10 transitioned to municipally run museum in 2004. Nominated for reflection
11 of community history, and for distinctive architectural style. Nomination
12 produced by former HPC Chair Dr. Judy Berryman. The first depot was built
13 in 1881. The surrounding neighborhood came to reflect the influence of the
14 railroad and what it represented; incoming of new people, new materials,
15 new architectural styles arriving in Las Cruces at this time period. Depot
16 Street became Las Cruces Avenue and was the first paved road in Las
17 Cruces. She has modifications for this nomination. It is currently in the
18 national and state registers. It retains sufficient historic integrity.

19
20 Dave Lundy, the exhibits manager for city museums, and building manager
21 at the railroad depot. He thinks this is an important building to the city.

22
23 Board Member Jeff Shepherd thanked for the comments. He asked if there
24 was something to explain the significance more regionally. Hard to
25 overestimate how impactful the railroads were for cities, cultures, and
26 communities, facilitating troop movement, displace and conquer indigenous
27 people in the area here, and for bringing people in, goods, commerce,
28 cultural ideas.

29
30 Vice-Chair Chairez-Hartell asked if the caboose was being included too.
31 Caitlin Beesley stated the caboose is not original, and not significant except
32 for symbolism.

33
34 Motion to approve by Ernie Campos; seconded by Jeff Shepherd. Motion
35 passed unanimously.

36 37 **No. CPD2026-004 - Clara Belle Williams Property**

38
39 Caitlin Beesley stated this would include the whole plat, including two
40 buildings, the home and the duplex. The house was built between 1925-
41 1930. It is a craftsman with vernacular influences. Nominated primarily for
42 its association with Clara Belle Williams and her family. She was a notable
43 educator in the community. Also the first African-American to graduate from
44 New Mexico State University. The home also belonged to Arturo and
45 Marcelina Chavez. He ran a chile roasting business along with other
46 produce from that home. Property is nominated for its association with

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significant people. Nomination produced by Alice Chavez, the daughter of Arturo and Marcelina. There are a few changes to the building over the years. From the documents for nomination: "Clara Belle Williams home is undoubtedly historic because of her extraordinary life and her lasting legacy. For this connection the property at 722 N. Mesquite Street is deserving of designation at the local level. The home was next occupied by the Chavez family who participated in the expansion of chile roasting, one of New Mexico's most prized cultural pastimes around the Mesilla Valley and nearby communities. In light of this, recognition should be given to the simple fact that this property's history continued past its initial period of significance. Encouragement should also be made to view all properties regardless of historic significance as bridges that connect generations, families, and ongoing stories. A reminder that history continues." Staff recommend approval.

Alice Chavez-Villa stated on August 13, 2021, the state of New Mexico Cultural Properties voted unanimously to enter the home as part of the state register. Her father came to the US as Spanish speaking only and learned slowly through asking schoolmates. As a young boy he traveled and picked produce with his siblings. Her father joined the Marine Corps. Her mother was born and raised in Las Cruces. She spent her life in that house and learned the value of hard work. A lot of parallels between the two families.

Vice-Chair Chairez-Hartell stated she cannot vote on this as she worked on the nomination. It was an honor to work with Alice Chavez-Villa.

Board Member Jeff Shepherd appreciated the narration and research shared. Should there be publishing of this story he would like to work on it also.

Motion to approve by Ernie Campos; seconded by Rosanna Torrez. Motion passed.

No. CPD2026-005 - Phillips Chapel C.M.E. Church

Caitlin Beesley stated this is located in the Mesquite Historic District located at 638 N. Tornillo Street. It was built in 1911 as a physical representation of the black experience in Las Cruces as well as tradition of worshipping in community members' homes. It is one of the oldest black churches in New Mexico. Also served as the first segregated school in Las Cruces for African-Americans following segregation. A major restoration project between 2010-2014 by the community and students with the Doña Ana Community College. It is nominated for its representation of community history, for its association with the Hibler Fielder family, and authenticity of materials. It was nominated by Faith Hutson. The restoration was done entirely by volunteer work. It is currently on the national register individually

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1 and contributes to the state register of cultural properties for the Mesquite
2 Street Historic District. Staff recommends approval.

3
4 Faith Hutson stated she was on the restoration project from start to finish.
5 She purchased an adobe and took classes at DACC for adobes. Thanked
6 everyone for their hard work in nominating properties.

7
8 Vice-Chair Chairez-Hartell stated she was a small part of the restoration
9 and that was her first introduction into historic preservation.

10
11 Motion to approve by Ernie Campos; seconded by Rosanna Torrez. Motion
12 passed unanimously.

13 14 **6. STAFF AND COMMITTEE INPUT**

15
16 Caitlin Beesley stated there was a break-in and fire at 719 N. Mesquite Street late
17 last month. The fire was primarily to the rear of the property, only damaged the
18 roof. The property is technically for sale. The city's plans were to demolish the
19 building. She and an inspector looked and the building is not in bad condition
20 except for the roof. The city will board and secure the building and lien. There is
21 a lot of interest in the building.

22
23 Members of the unhoused population have been sleeping under the luggage/crate
24 ramp to the south of the railroad depot. The structure is creosote soaked railroad
25 ties which helps prevent insect infestation, but not great with fire. There was a fire.
26 The city is assessing what to do with this right now. The ramp is fire damaged but
27 not the building.

28
29 This is Historic Preservation Month. Doña Ana County Historical Society is having
30 regular lecture series. Tomorrow at 7:00 p.m. at the WIA building for a lecture.
31 Las Esperanzas putting on walking tour for the Mesquite Street Historic District,
32 this Saturday at 9:00 a.m. There are documentaries and movies going on at the
33 Rio Grande Theatre. Town of Mesilla is doing a Historic Preservation week next
34 week. There will be a tour of the Armijo House on May 26, evening at 6:00 p.m.
35 May 29th the New Mexico Historic Preservation Commission is giving the annual
36 awards at the National Hispanic Cultural Center in Albuquerque, at 1:00 p.m.
37 NMSU campus tour May 30th at 10:00 a.m. leave from the Conroy Honor Center.
38 She will be attending the Santa Fe Historic Preservation Symposium on May 30th,
39 from 9:00-5:00 at the New Mexico History Museum in Santa Fe.

40
41 Planning for city register nominations to come before City Council on June 15th at
42 1:00 p.m.

43
44 Board Member Ernie Campos asked if the events are listed on the website. Some
45 are on Facebook and some on Instagram, not the website. Possibly next year
46 have a single webpage for people to go to.

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7. ADJOURNMENT

Motion to adjourn by Jeff Shepherd; seconded by Ernie Campos. Motion passed unanimously.

Chairperson

DRAFT



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ N/A			
Adopted:	June 23, 2026			
Drafter:	John Castillo	Department:	Community Development	
Program:	Community Planning	Line of Business:	Community Planning	
Title:	A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT (SUP) TO ALLOW A CANNABIS DISPENSARY (RETAILER) WITHIN THE NH-3.U.MX (NEIGHBORHOOD-3 URBAN MIXED-USE CORRIDOR OVERLAY ZONE) ZONING DISTRICT AND LESS THAN THE REQUIRED 300-FOOT DISTANCE FROM ANOTHER CANNABIS RETAILER. THE SUBJECT PROPERTY IS LOCATED AT 1211 E. IDAHO AVENUE AND ENCOMPASSES APPROXIMATELY 0.11 ACRES IN SIZE. SUBMITTED BY PHAT GRASS LLC., ON BEHALF OF FRANCES FERNANDEZ, PROPERTY OWNER. COUNCIL DISTRICT 3. (CASE # 25ZO1000098)			

PURPOSE(S) OF ACTION:

To approve a Special Use Permit (SUP)

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

2025 Development Code, as amended.

PURPOSE:

This is a request for approval of a Special Use Permit (SUP) to the Planning and Zoning Commission for the establishment of the new cannabis dispensary at 1211 E. Idaho Avenue. A SUP is required when a land use is subject to additional review and approval by the Planning and Zoning Commission to determine impacts on the surrounding area. Land uses eligible for SUP approval are designated in Figure 36-3-2, Permitted Use Chart.

As per Section 36-3.B.107, a cannabis dispensary is allowed to operate in designated zoning districts if it complies with all State of New Mexico regulatory and licensing requirements and related zoning standard conditions. One such condition is that it shall not be located within 300 feet from another established cannabis dispensary. The purpose of this request is to approve a cannabis dispensary within the NH-3 zoning district, where a cannabis dispensary is only permitted with an approved SUP, and that is located closer than the required 300 feet from another cannabis use. With the approval of a SUP, a cannabis dispensary CAN be located within 300 feet of another cannabis dispensary. Approval of an SUP is not a zoning district change.

LAND USE HISTORY:

The subject property was annexed into the City of Las Cruces in 1948 under the North Alameda Acres annexation. It was created through the Valley View Addition Subdivision filed in 2007. The subject property was previously utilized as a smoking accessory and gift shop from 1999 to 2022. The subject property has been vacant since then.

Agenda Item #6.2.

PROJECT DESCRIPTION:

The applicant is seeking to re-use an existing building to open and operate a cannabis dispensary (retail) approximately 229 feet from another cannabis dispensary and located within the NH-3 zoning district. As per Sec. 36-3 Permitted Uses and Use-based Standards, a cannabis dispensary is required to obtain an SUP to operate within the NH-3 zoning district and to operate within 300 feet of another cannabis use.

SITE SUITABILITY:

The subject property is designed to accommodate retail uses as it is currently developed. It was previously used as a smoke shop until 2022, when the use was discontinued. Under Section 36-5.G a property that has been discontinued for a period of 24 months or longer must come into conformance with the 2025 Development Code (i.e. parking, landscaping, etc.). The applicant has provided a site plan showing all the required improvements for the subject property, which staff will confirm it meets the 2025 Development Code during the permitting process. Please see Attachment "C" for the proposed site plan.

ACCESS/TRAFFIC:

The property is located on and has primary access to Idaho Avenue a fully improved minor arterial roadway, as designated by the Elevate Las Cruces Future Throughfare Map and the Mesilla Valley Metropolitan Planning Organization Active Mobility plan with asphalt, curb, gutter, sidewalk and streetlights. No further improvements are required for Idaho Avenue. The applicant is proposing vehicle access from an alley adjacent to the property. Per the 2025 Development Code, vehicle ingress and egress is permitted via an alley.

PARK LAND DEDICATION:

The proposed SUP is not a subdivision and therefore park land dedication is not required.

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located in the Urban Neighborhood Place Type and within a Mixed-Use Corridor as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. The Urban Neighborhood Place Type and Mixed-Use Corridor encourages and allows a variety of residential housing types at medium-to-high densities and areas of supporting neighborhood commercial development. The place type includes single-family and multi-family dwelling types, neighborhood retail and office uses and contains many of the City's established neighborhoods and historic residential areas closer to center city. This place type supports live-work units and a mix of residential and non-residential land uses along roadways or trail corridors. The comprehensive plan has numerous goals, policies and actions that support the proposed SUP, as referenced in Attachment "D".

FLOOD PLAIN:

The property is not located within a flood zone.

STAFF RECOMMENDATION:

Staff recommends approval for the SUP for a cannabis dispensary at 1211 E. Idaho Avenue based on the findings outlined in Attachment "E". The proposed SUP was routed for review to all reviewing departments with no impacts to the health, safety and wellness of the community from the proposed SUP identified. Approval of the SUP promotes redevelopment and revitalization of an older established area of the City.

ANALYSIS/ CONCLUSION:

Staff review has determined that a Cannabis Dispensary at 1211 E. Idaho Avenue does not negatively impact the public health, safety and welfare of the commercial corridor where it is located. The business shall be operated similar to other retail uses in the area and will be consistent with the commercial uses found in the surrounding neighborhood. SUP decisions made by the Planning and Zoning Commission are final unless appealed to City Council.

SUPPORT INFORMATION:

[ATTACHMENT "A" - Zoning Map](#)

[ATTACHMENT "B" - Aerial Map](#)

Agenda Item #6.2.

[ATTACHMENT "C" - Site Plan](#)

[ATTACHMENT "D " - Elevate Las Cruces Comprehensive Plan](#)

[ATTACHMENT "E" - Staff Findings.](#)

PLAN(S):

Other, Elevate Las Cruces

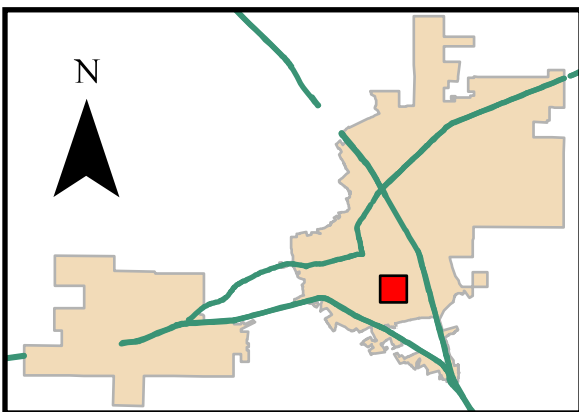
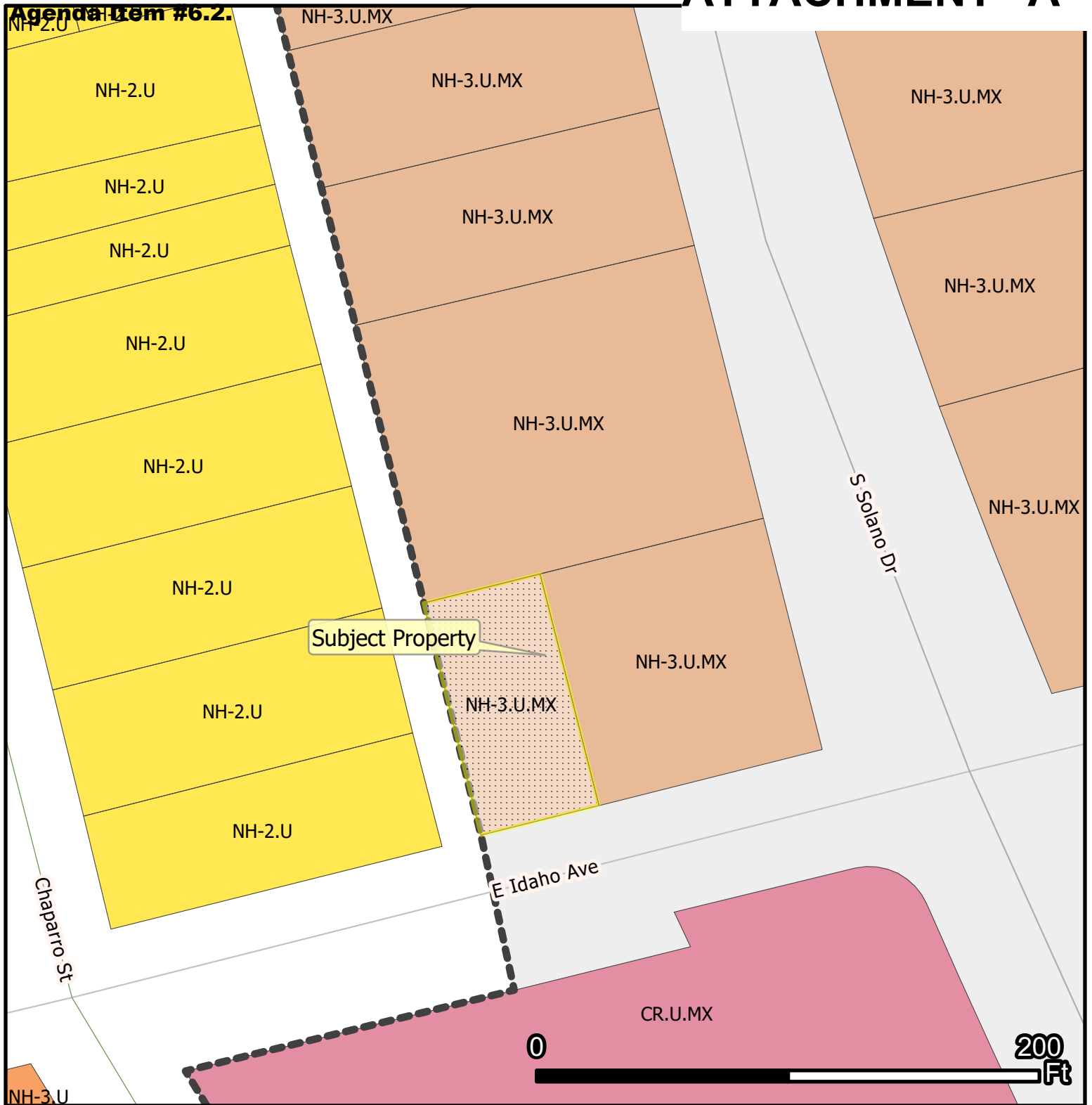
COMMITTEE/BOARD REVIEW:

None

OPTIONS / ALTERNATIVES:

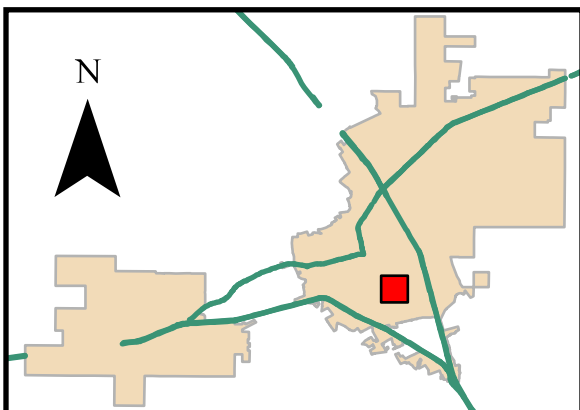
1. Vote "Yes" this will approve the Special Use Permit as recommended by staff.
2. Vote "No" this will not approve the Special Use Permit.
3. Vote to "Amend" this could modify the Special Use Permit by adding conditions as the Planning and Zoning Commission deems appropriate.
4. Vote to "Table" this will postpone consideration of the Special Use Permit and would need further direction from the Commission.

Agenda Item #6.2.



1211 E Idaho Ave
Zoning Map

Agenda Item #6.2.



1211 E Idaho Ave
Aerial Map

ADJACENT PROPERTIES

ALLEY

EXISTING
BUILDING

ADJACENT
PROPERTY

IDAHO AVE.

○ PROPERTY CORNER
- - - PROPERTY LINE

1. BASED ON CITY OF LAS CRUCES DEVELOPMENTAL STANDARDS, SECTION 36-3-2; THREE PARKING STALLS ARE REQUIRED FOR STANDARD VEHICLES AND ONE BICYCLE PARKING. DUE TO THE LIMITED SPACE OF THE LOCATION, THERE WILL BE TWO PARKING SPACES: ONE STANDARD SPACE AND ONE ADA PARKING STALL WITH AN 8' ACCESS AISLE.

2. BICYCLE PARKING TO BE LOCATED AT FRONT OF BUILDING, LOCATED WEST OF FRONT ENTRANCE AND TO BE MARKED BY A SIGN AS WELL AS HAVE A BICYCLE RACK INSTALLED.

2. BASED ON FIG.38-2-14, THE STANDARD VEHICLE PARKING TO BE A WIDTH OF 9' - 0" AND LENGTH TO BE 19' - 0". ADA PARKING, WILL ALSO HAVE A PARKING AISLE 8' - 0" WIDE.

3. STANDARD 6' - 7" x 0' - 7 1/2" CONCRETE WHEEL STOP TO BE TO BE INSTALLED AT EACH PARKING STALL.

4. SIDEWALK ALONG THE EAST SIDE OF THE BUILDING TO BE USED TO PROVIDE ADA ACCESS. SIDE WALK TO INCLUDE RAMP AND MEET ALL ADA REQUIREMENTS. THE RAMP WILL HAVE AN INCLINE RATIO NO GREATER THAN 1:12. ALSO TO HAVE A LANDING OF MIN. 5' - 0" IN LENGTH AND THE TOP OF RAMP/SIDEWALK TO MATCH HEIGHT OF THE EXISTING WALKWAY LOCATED AT THE FRONT OF THE BUSINESS.

CLASSIFICATION & USE	MIN. VEHICLE PARKING (1: 400 sqft)	MIN. BICYCLE PARKING (1:3,000 sqft)
107 - CANNABIS DISPENSARY	3	1
	TOTAL PARKING SPACES	TOTAL BICYCLE PARKING
	2	1

The diagram shows a standard rectangular parking sign with a green background and white border. The sign features the text "ACCESSIBLE PARKING" at the top, a white wheelchair symbol in the center, and "PLATE # OR PLACARD REQUIRED" below the symbol. At the bottom, it says "VAN ACCESSIBLE". A red arrow points from the text "Minimum 1/2 inch" to the bottom edge of the sign. Various callouts provide specifications for the sign's dimensions, text, and materials.

- Top Text:** "ACCESSIBLE PARKING"
 - Size: Type 47E & (24" x 28")
 - Color: Gold or white
 - Edge: Ruffled and border are green
 - Material: Substrate: Signage of Accessibility is white on a black background
- Center Symbol:** Wheelchair symbol
 - Required language per: HSLA 1776(a) - 1501-EC
- Bottom Text:** "PLATE # OR PLACARD REQUIRED"
 - Size: Type 47E & (24" x 28")
 - Color: Gold or white
 - Edge: Ruffled and border are green
- Bottom Text:** "VAN ACCESSIBLE"
 - Size: Type 47E & (24" x 28")
 - Color: Gold or white
 - Edge: Ruffled and border are green
 - Required language (Van Accessible Spaces): ANSI 1501-EC
- Signage:** Sign plate
- Additional Notes:**
 - Bottom of lowest sign 60" min above the ground in parking lot
 - AND 500.2
 - OR
 - 80" min. for on-street parking and in the pedestrian path of travel per MUTCD Sec 5A.18

PARKING LAYOUT
PHAT GRASS DISPENSARY
1211 IDAHO AVE.,
LAS CRUCES, NM
88005



CS
CONSTRUCTION
SPECIALISTS

NOTE: DRAWINGS CANNOT BE COPIED OR REPRODUCED UNLESS CONTRACTOR AND OWNER IS RESPONSIBLE FOR THE CHANGES. CONTRACTOR IS RESPONSIBLE TO VERIFY PERMISSION OF THE DRAFTER OR DESIGNER DURING CONSTRUCTION. CONTRACTOR TO REVIEW THESE DRAWINGS FOR ANY DISCREPANCY THAT MAY INCLURE PLANS PRIOR TO CONSTRUCTION. ALL THE SET OF DIMENSIONS, MATERIAL CONSTRUCTION ARE BASED ON CITY, COUNTY OR STATE BUILDING CODES.

DESIGNED BY: PRO SOLUTIONS
DRAFTED BY: A. ENRIQUEZ

Parking Layout



➤ **Community Prosperity:**

- Goal CP-2: Economic Equity – Generate employment opportunities that create economic security for all residents.
 - Policy CP-2.2 – Support efforts to connect vulnerable populations to job opportunities.
- Goal CP-3: Entrepreneurship – Create a nurturing regulatory environment that generates entrepreneurship and small business investment.
- Goal CP-4: Diversification – Seek a balance of business recruitment, retention, and expansion to diversify economic opportunities.
 - Policy CP-4 – Support efforts to be regionally and nationally competitive in regard to retaining and growing businesses, jobs, and students.

➤ **Community Environment:**

- Goal CE-1: Balanced Growth – Encourage efficient land use development patterns that accommodate projected growth in a sustainable manner.
 - Policy CE-1.1: Create consistency between the Elevate Las Cruces Future Development Program recommendations and development regulations.
 - Action CE-1.1.5: Consider the appropriateness of future development proposals with place type designations and their relationship with surrounding land uses.
 - Policy CE-1.2: Promote investment within older areas of the city through redevelopment.
- Goal CE-3: Centers and Corridors – Support community growth through concentrated development at activity centers and along key corridors.
 -
- Goal CE-4: Complete Neighborhoods – Develop mixed-use neighborhoods that incorporate a wide range of recreational, commercial, employment and civic uses.
 - Policy CE-4.2 – Incorporate employment and shopping nodes into new and redeveloping neighborhoods to provide residents with convenient access to services.

ATTACHMENT “E”

FINDINGS

1. The subject property meets the distance separation requirements from any school and nursery/daycare.
2. The subject parcel as it exists today is compatible with adjacent commercial retail uses along Idaho Avenue and Solano Drive.
3. In terms of the proposed use, the business will function like any other business within the city.
4. The proposed use while closer than the required 300-ft distance from a cannabis retailer provides service for those along Idaho Avenue.
5. The proposed SUP meets the intent and purpose of Elevate Las Cruces Comprehensive Plan.
6. All applicable requirements as outlined in the 2025 Land Development Code, as amended and those stipulated by the State of New Mexico must be adhered to for subsequent operation of the proposed business.



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ N/A			
Adopted:	June 23, 2026			
Drafter:	Adam Ochoa	Department:	Community Development	
Program:	Community Planning	Line of Business:	Community Planning	
Title:	A REQUEST FOR APPROVAL OF A ZONING MAP AMENDMENT FROM NH-1.S (NEIGHBORHOOD-1 SUBURBAN) TO CR.S (COMMERCIAL/RETAIL SUBURBAN) FOR A PROPERTY ENCOMPASSING APPROXIMATELY 0.987 ACRES IN SIZE AND LOCATED AT 1240 S. VALLEY DRIVE. SUBMITTED BY JAKE REDFERAN, REPRESENTATIVE, ON BEHALF OF CHINOOK PACIFIC CORP., PROPERTY OWNER. (26ZO0500037)			

PURPOSE(S) OF ACTION:

Approval of a zoning map amendment.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODES UTILIZED:

2025 Development Code.

PURPOSE:

The applicant is requesting a rezoning of a parcel of land located on the southwest corner of Valley Drive and Aspen Avenue. The subject property is currently zoned NH-1.S (Neighborhood-1 Suburban) and the applicant is proposing a zoning designation of CR.S (Commercial/Retail Suburban).

The Zoning Map may be amended, including rezonings, boundary adjustments, or district changes in accordance with NMSA 3-21-6, as amended. Zoning is a primary tool for regulating land use, including building size, lot dimensions, lot coverage, and compatibility of uses. In February and December 2025, City Council approved and adopted the 2025 Development Code along with the associated Zoning Map. The subject property was previously zoned C-2 (Commercial Medium Intensity) under the 2001 Zoning Code and was subsequently rezoned to NH-1.S (Neighborhood-1 Suburban) under the newly adopted development code.

The applicant is now requesting a zoning map amendment to CR.S (Commercial/Retail Suburban) in order to better align the zoning of the subject property with its previous designation. The uses permitted under the proposed CR.S zoning designation are more consistent with those allowed under the former C-2 zoning designation.

PROJECT DESCRIPTION:

The subject property currently consists of a shopping/business center. The existing NH-1.S zoning designation does not allow for a shopping/ business center within the NH-1.S and if it remains would create a non-conforming site even though it was permitted under the previous code. The proposed CR.S zoning designation is more consistent with the previous C-2 zoning designation and would bring the property back into compliance with current code.

Agenda Item #7.1.

SITE SUITABILITY:

The subject property is fully improved including parking, drainage, and landscaping. The property met code in which it was developed under, and a zoning map amendment does not require site compliance meeting the requirements of the 2025 Development Code. There is also an existing wireless communication structure on the subject property that is only permitted in the existing NH-1.S zoning designation with a Special Use Permit. The proposed CR.S zoning designation would permit the existing wireless communication structure by right.

ACCESS/TRAFFIC:

The subject property has two access points: one directly accesses Aspen Avenue, a fully improved local roadway and one is through a shared access on the adjacent property located at 1290 S. Valley Drive to Valley Drive, a principal arterial roadway, as designated by the Mesilla Valley Metropolitan Planning Organization and the Future Thoroughfare Map of the Elevate Las Cruces Comprehensive Plan. Both access points provide adequate access to the subject property, and no additional improvements are required.

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The subject property lies within the Regional Commercial Place Type on the Future Development Map of the Elevate Las Cruces Comprehensive Plan. The Regional Commercial Place Type is defined by large retail and professional service uses, often located in multi-tenant shopping centers and office buildings, as well as hotels, restaurants, and other services. Regional Commercial land uses are of a scale and character to serve as a city wide and regional draw. The proposed zoning map amendment to CR.S would better align the zoning of the subject property with the Regional Commercial Place Type.

The Elevate Las Cruces Comprehensive Plan includes numerous relevant goals, policies, and action items that support the zoning map amendment and are outlined in Attachment "D."

PARK DEDICATION:

The proposed zoning map amendment does not require any park land dedication.

FLOOD PLAIN:

The property is not located within the flood zone.

ANALYSIS/CONCLUSION:

The proposed zoning map amendment is consistent with the zoning found in the surrounding area and shows no evidence of any health, safety, or welfare issues. The subject property is also located within the Commercial Regional Place Type where the proposed CR.S zoning designation is encouraged.

In addition to those criteria for review and decisions outline under the 2025 Development Code, there are also measures based on case law to consider when evaluating rezoning requests which include the following:

1. There was an error when the existing zoning map was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other applicable City plan, even though criteria 1 or 2 above do not apply because,
 - a. there is a public need for a change of the kind in question, and
 - b. that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

Staff determined that an error did occur when the existing zoning map was created and the subject property was assigned the incorrect zoning designation of NH-1.S. Based on the analysis staff recommends APPROVAL for the proposed zoning map amendment based on the findings found in Attachment "E."

NOTICE:

The Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. All comments and concerns received will be discussed as applicable during case presentation.

Agenda Item #7.1.

APPLICATION TIMELINE:

Applicant Submitted: May 21, 2026

Staff Returned: May 28, 2026

Review Complete: June 1, 2026

SUPPORT INFORMATION:

[Attachment "A", Zoning Map](#)

[Attachment "B", Aerial Map](#)

[Attachment "C", Site Plan & Applicant's Request](#)

[Attachment "D", Elevate Las Cruces Comprehensive Plan Goals, Policies, and Actions](#)

[Attachment "E", Findings](#)

PLAN(S):

Elevate Las Cruces

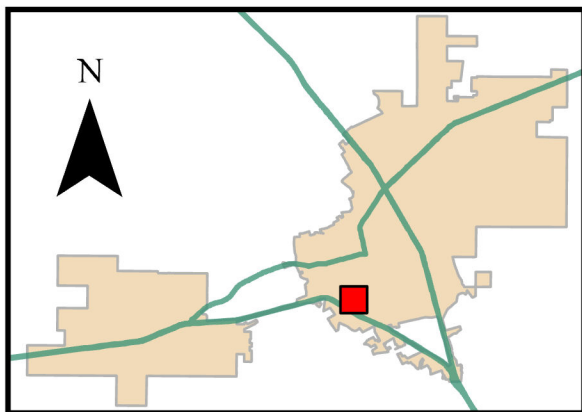
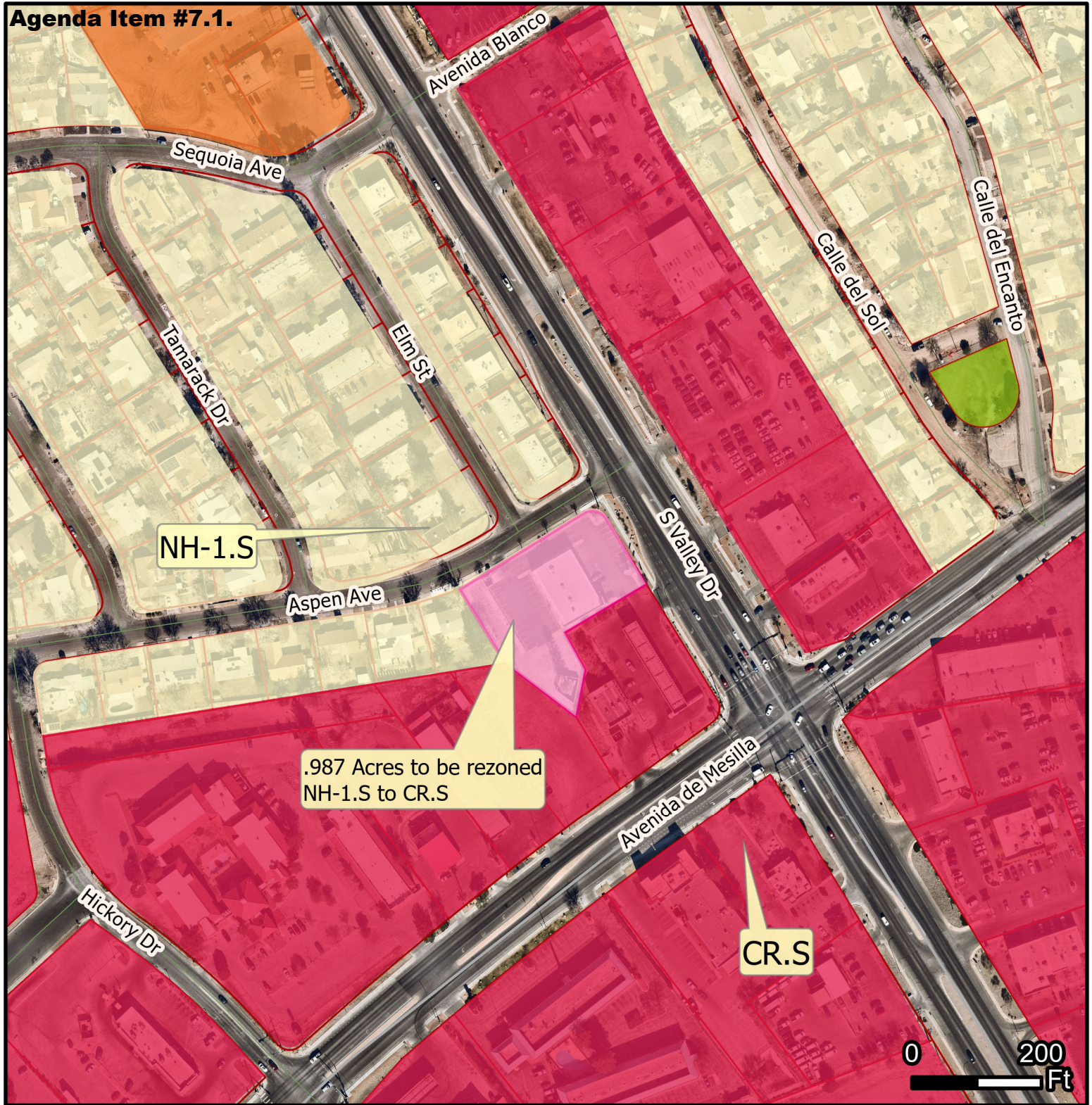
COMMITTEE/BOARD REVIEW:

None

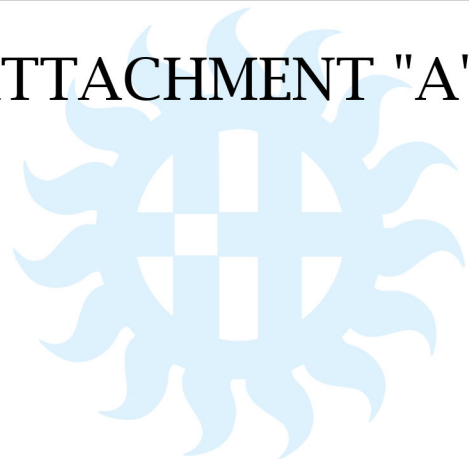
OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will recommend approval for the proposed zoning map amendment as recommended by staff.
2. Vote "No"; this will recommend denial for the proposed zoning map amendment.
3. Vote to "Amend"; this could modify the recommendation of approval of the proposed zoning map amendment by adding conditions as the Planning and Zoning Commission deems appropriate.
4. Vote to "Table"; this will postpone consideration of the proposed zoning map amendment pursuant to further direction from the Commission.

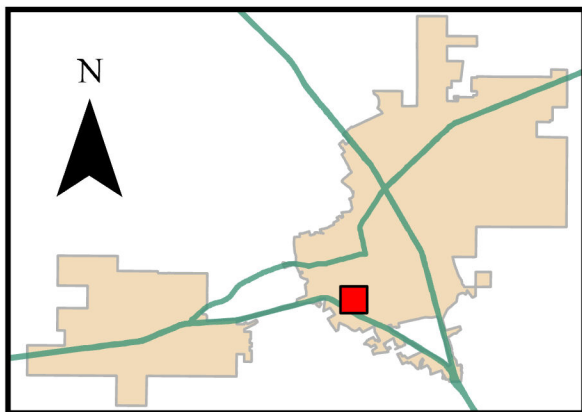
Agenda Item #7.1.



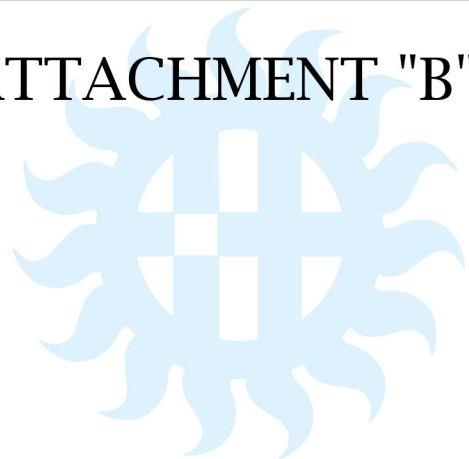
ATTACHMENT "A"



Agenda Item #7.1.



ATTACHMENT "B"



Legend

(1) 90°00'00" E MAGNETIC BEARING AND DISTANCES FROM	
(2) 90°00'00" E MAGNETIC BEARING AND DISTANCES FROM	
(3) 90°00'00" E MAGNETIC BEARING AND DISTANCES FROM	
(4) 90°00'00" E MAGNETIC BEARING AND DISTANCES FROM	
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(10) 90°00'00" E MAGNETIC BEARING AND DISTANCES FROM	

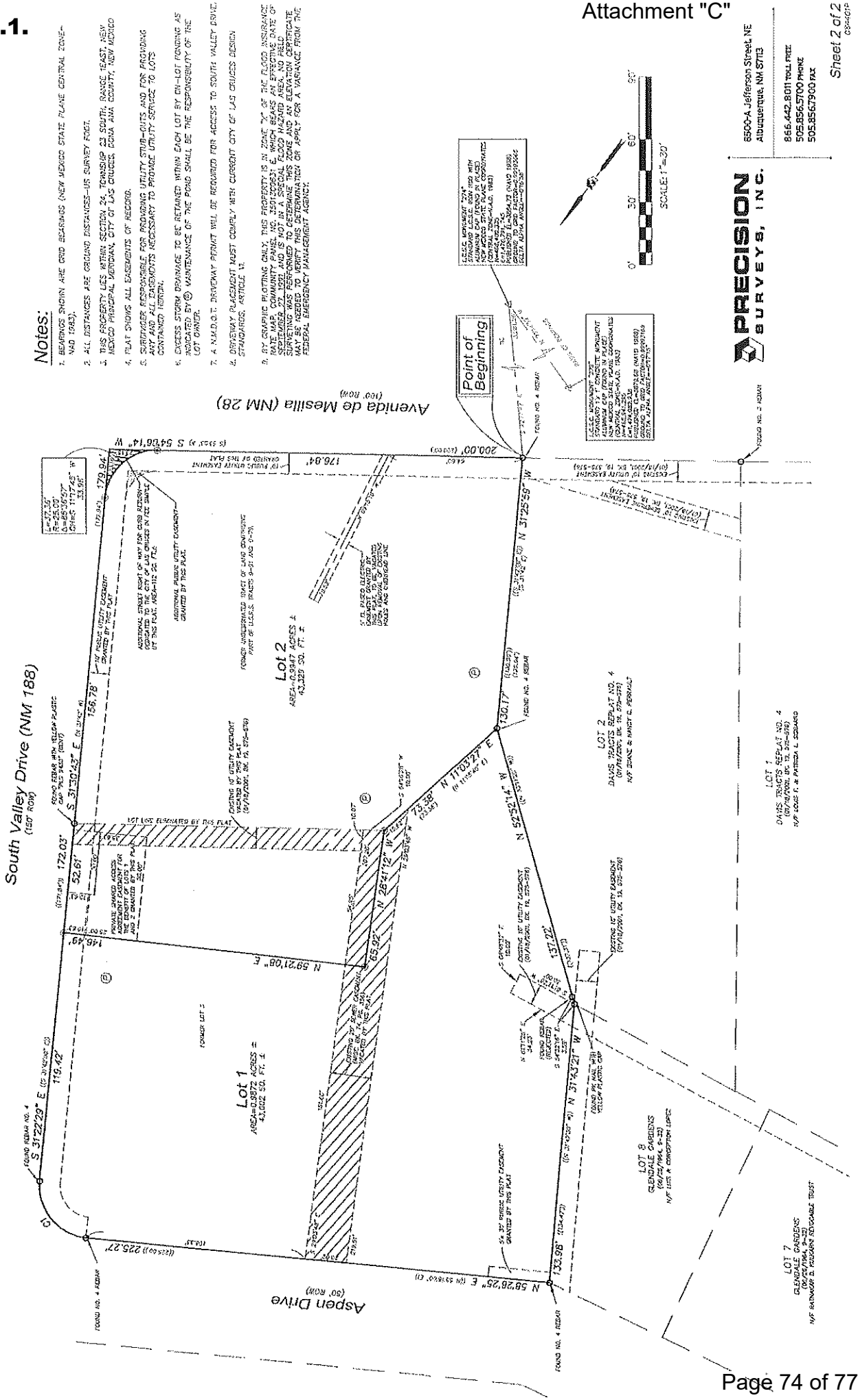
Plat of Lots 1 and 2 Lands of Murphy Oil USA Being a Replat of Part of U.S.R.S. Tracts 9-91 and 9-79, Together with Lot 3 Davis Tracts Replat No. 4 City of Las Cruces, Dona Ana County, New Mexico August 2008

Curve Table

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD	BEARING	CHORD LENGTH
CT	25.00	38.84	69°20'28"	24.77	24.77	N 76°20'42" W	49.15

Notes:

1. BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE- NAD 1983).
2. ALL DISTANCES ARE GRID DISTANCES-UTM SURVEY FEET.
3. THIS PROPERTY LIES WITHIN SECTION 24, TOWNSHIP 23 SOUTH, RANGE 10 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF LAS CRUCES, DONA ANA COUNTY, NEW MEXICO.
4. PLAT SHOWS ALL EASEMENTS OF RECORD.
5. SURVEYOR RESPONSIBLE FOR PROVIDING UTILITY STUB-OUTS AND FOR PROVIDING ANY AND ALL EASEMENTS NECESSARY TO PROVIDE UTILITY SERVICE TO LOTS CONTAINED HEREIN.
6. EXCESS STORM DRAINAGE TO BE RETAINED WITHIN EACH LOT BY ON-LOT PONDING AS INDICATED BY (C) MAINTENANCE OF THE POND SHALL BE THE RESPONSIBILITY OF THE LOT OWNER.
7. A MAJOR D.T. DRIVEWAY FRONT WILL BE REQUIRED FOR ACCESS TO SOUTH VALLEY ESULE.
8. DRIVEWAY PLACEMENT MUST COMPLY WITH CURRENT CITY OF LAS CRUCES DESIGN STANDARDS, ARTICLE 13.
9. BY GRAPHIC NOTING ONLY, THIS PROPERTY IS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 1501200031, WHICH BEARS AN EFFECTIVE DATE OF 08/12/1984. THE SURVEYOR HAS BEEN ADVISED BY THE FLOOD INSURANCE RATE SURVEYING WAS PERFORMED TO DETERMINE THE ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.





May 20, 2026

Vincent Banegas
Interim Planner/Community Planning/Community Development
City of Las Cruces
vbanegas@lascruces.gov

RE: Zoning Change Request
Property: 1240 Valley Drive
Las Cruces, NM 88001

Dear Mr. Banegas,

We are writing to you today on behalf of our client to seek a zoning change on the above referenced property in order to correct a zoning conversion error.

Unfortunately, this has negatively affected my client and it is imperative that we try to get this taken care of so that he doesn't lose the opportunity to lease space to the interested tenant.

If there is anything further we can do to expedite this process, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "Jake Redferan".

Jake Redferan
Principal
NAI 1stValley Commercial Real Estate
Jake@1stvalley.com
Cc to cristi@1stvalley.com

Elevate Las Cruces Comprehensive Plan Goals, Policies, and Actions

The following goals, policies, and actions from Elevate Las Cruces are relevant to the proposed zoning map amendment;

- Goal CE-1: Balanced growth: Encourage efficient land use development patterns that accommodate projected growth in a sustainable manner.
 - Policy CE-1.1: Create consistency between the Elevate Las Cruces Future Development Program recommendations and development regulations.
 - Action CE-1.1.5: Consider the appropriateness of future development proposals with place type designations and their relationship with surrounding land uses.
- Goal CE-3: Centers and corridors: Support community growth through concentrated development at activity centers and along key corridors.
 - Policy CE-3.2: Allow for a mix of development type and intensity along major thoroughfares that reflects surrounding urban, suburban, and rural contexts.
- Goal CE-4: Complete neighborhoods: Develop mixed-use neighborhoods that incorporate a wide range of recreational, commercial, employment, and civic uses.
 - Policy CE-4.2: Incorporate employment and shopping nodes into new and redeveloping neighborhoods to provide residents with convenient access to services
- Goal CP-2: Economic equity: Generate employment opportunities that create economic security for all residents.
- Goal CP-3: Entrepreneurship: Create a nurturing regulatory environment that generates entrepreneurship and small business investment.

Findings

1. An error occurred when the existing zoning map was created and the subject property was assigned the incorrect zoning designation.
2. The subject property is also located within the Commercial Regional Place Type where the proposed CR.S zoning designation is encouraged.
3. Numerous relevant goals, policies, and action items outlined in the Elevate Las Cruces Comprehensive Plan support the proposed zoning map amendment.
4. The proposed zoning map amendment is consistent with the zoning found in the surrounding area